

Complete History
OF
EUROPE
OR, A
VIEW of the AFFAIRS thereof,
CIVIL and MILITARY,
FOR
The YEAR 1710.

CONTAINING
All the Publick and Secret TRANSACTIONS
therein about a Peace and otherwise; The several
STEPS taken by France, for an Universal Mon-
archy, and to Enslave her Neighbours; The
Wars in Italy, Livonia, Finland, Sweden, Netber-
lands, Spain, Germany, Hungary, &c.

Intermix'd with
Great Variety of Original PAPERS, LETTERS,
MEMOIRS, TREATIES, &c. Several of which
never before made Publick.

WITH
The REMARKABLES of the Year; Including
the Lives of several Eminent Persons, both at
Home and Abroad, that died therein.

Illustrated with Two Cutts, viz. 1. The Plan of
Doway. 2. A Map of the Country about Lifle,
Tournay, Doway, Arras, Valenciennes, &c.

To be Continued Annually.

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Complete History

Review

View of the Affairs of the
CIVIL and MILITARY

The YEAR 1710.



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valuable
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WITH
The Remarkable of the Year, including
the Lives of several Eminent Persons, both at
Home and Abroad, that died that Year.

Illustrated with Two Copper Plates, the first of
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TO
ROWLAND HOLT, Esq;

THIS VOLUME of the
Compleat History
OF
EUROPE,

For the Year, 1710.

Is Humbly INSCRIB'D, By

S I R,

Your Most Humble,

and Devoted Servant.

D. J.

TO

ROWLAND HOLT, ESQ.

This Volume of the

Complete History

OF

EUROPE

For the Year, 1710.

By Humphry Isaacson, Esq.

SIR,

Your Most Obedt. Servant

and Devoted Son

D. J.

PREFACE.

WE Concluded our History of One thousand seven hundred and nine, with the Impeachment of Dr. Sacheverell by the House of Commons, and his Answer to the Articles they exhibited against him; and having left the Replication of the Commons, the Doctor's Tryal, and many other Coincidencies to this Year, unto which they do properly belong, we have been so much the more large and particular in every Occurrence relating thereunto, as being a matter the most memorable, upon many Accounts, of any that has hapned since we began our Annual Undertaking.

The Tumults and Riots, the Scandalous Reflections and Clashing of Parties, the Addresses and Counter-Addresses; the Alteration of the Ministry, with the Consequences of it in respect to Lower Stations, and Decay of Credit: (to say nothing of the Dissolution

THE PREFACE.

of the Old, and the calling of a New Parliament) were but too-Visible and Notorious to go unobserved by us, and indeed they make up a considerable part of the History of this Year. It cannot be expected we should here come to particulars, in the Observation of which, how carefully soever we have endeavoured to be; yet we have by no means been Negligent of the other Transactions of Europe, especially of those of most Moment, in the Netherlands and Spain; which last Kingdom was upon the matter so unaccountably Won and Lost, within the compass of one Campaign, as will scarce be believed in future Generations.

The entire Conquest of Livonia and Finland by the Muscovites, the Adventures of the Danes and Swedes, both by Sea and Land, the new War like to break out between the Muscovites and the Turks, with the Alterations previous to it at the Ottoman Port, were things not to be over-look'd, which with several other Matters will best appear, and be most diverting and instructive in their proper Places.

As

As for the Remembrance of this Folly
which has proved fatal to many Eminent
Persons, both at Home and Abroad,
of several Ranks and Professions; among
the Natives you will find those Eminent
Lawyers, Sir John Holt, Lord Chief
Justice of England, Sir Rob. Atkins,
some time Lord Chief Baron of the
Exchequer, Common Lawyers; Sir
John Cook Dean of the Arches, a Ci-
vilian: Among the Faculty of Physick
are Dr. J. How, and Sir E. Hannes;
Of the Men of the Sword, Sir David
Mitchel, sometime an Admiral, Col.
Coddington, and Sir H. Sheers an En-
gineer; Sir T. Littleton and Mr. Cre-
scet are not forgot, no more is Dr. Al-
dridge among the Divines; and for the
Nobility, there are the Dutchess Dow-
ager of Devonshire, the Earls of Essex,
Berkley, Anglesea and Coventry; the
Lords Brook, Haverham and Leigh;
and the most remarkable among Foreigners
are the Cardinals, Sperelli, Durazzo
and Grimani, D. of Burbon, Dutch-
esses of Mantua and Modena; the
Mareschal de Joyeuse, Archbishop of
Rheims,

Rheims, Baron Spaulheim, Monsieur
 Lieutcrone, &c. &c. &c. &c. &c. &c. &c.
 Doway being the most considera-
 ble Siege undertaken by the Allies
 in the Course of this Campaign, we
 have given an exact Plan of it, and the
 Fort Scarp, as it was communicated by
 the Sieur de Roques, Director of the
 Siege: And it was not thought amiss to
 entertain the curiosity of the Reader
 with a Map of the Country, about
 Tournay, Lille, Doway, Arras, Va-
 lenciennes, &c. &c. &c. &c. &c. &c. &c.

It must be Noted here by way of Pre-
 caution, That some things referred to in
 the body of this Volume, & the maps within
 in the Appendix, have been omitted upon
 on better Thoughts; and some others are
 refer'd, when we have more Room and
 Opportunity, for the succeeding Volumes;
 so that we have declined to enlarge the
 Bulk and Price of this by any Appen-
 dix at all.

A Com-

Compleat History OF EUROPE,

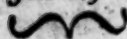
FOR
The YEAR 1710, &c.

When the Affairs of Britain concluded the Year 1709, with the Impeachment in Parliament and Answer of Dr. Henry Sacheverell there-
January.
We are now to observe, that those Transactions occasioned various Reflections, and increased the Jealousies and Animosities between the Two Parties unhappily distinguished, of late, by the Appellations of *High-Church* and *Low-Church*. It should have been observed before in reference to the Impeachment, That the Committee appointed by the Commons, sat several times at Sir Joseph Jekyll's House, in order to draw up the Articles; so that the Parliament being met again on the 6th of January, Mr. Dolben reported from the said Committee, that they had drawn up those Articles accordingly; which he reported to the House. The same being read, it was order'd, That they should be read a second time the Wednesday following, when it was order'd, that the Report

B

of

January



The Arti-
cles appro-
ved.

And carri-
ed up to
the Lords.

12.

Lords com-
municate
Dr. Sache-
verell's
Answer to
the Com-
mons.

25.

of the Committee should be read Paragraph by Paragraph. The first Paragraph, or the Preamble to the Articles, being read accordingly, a Motion was made by the Doctor's Friends, That the said Report should be re-committed. This occasion'd a very warm Debate, wherein Mr. Robert Harley, Mr. Bromley, Mr. Ward, and some others, made several Exceptions to the Matter and Form of the said Articles; and, in particular, Mr. Harley insisted on the leaving out of the Word *sedition*, alledging a fatal Precedent in the Reign of King Charles I. in the Prosecution of Pryn, Bastwick and Burton. But their Objections were answered by Mr. Secretary Boyle, Mr. Smith Chancellor of the Exchequer, Lieutenant General Mordaunt, Mr. Lechmere, Mr. Thompson, and some others; so that the Question being put, whether the said Report should be re-committed, it pass'd in the Negative, by a Majority of 232 Voices, against 131. It being late, Candles were order'd to be brought in, and the House having agreed to the said first Paragraph, proceeded to the Examination of the Articles, which being severally read, one by one, were (upon the Question severally put thereupon) agreed to be the Articles exhibited against Dr. Henry Sacheverell. Then the last Paragraph, or Recapitulation, was also read and agreed to, and the whole order'd to be engross'd. The next Day, the engross'd Articles being read, Mr. Dolben was order'd to carry the same to the Lords; which he did, accompanied by a great Number of Members.

In the mean time Dr. Sacheverell being admitted to Bail, and his Sureties being Dr. Lancaster, Vice-Chancellor of Oxford, and Dr. Boock, we shall not make any Recapitulation of the Articles of Impeachment and the Doctor's Answer, which was given in on the 25th. The Lords communicated the same that Day to the House of Commons, desiring that the Original might be return'd with convenient speed: Whereupon the Commons order'd that the said Answer should be read the next Day; which being done accordingly, it was Order'd, That the Answer of Dr. Henry Sacheverell (sent from the Lords) should be referred to the Committee who were

1710. *for the Year 1710*
were appointed to draw up the Articles of Impeachment, which were exhibited by the Commons to the Lords, against him, for high Crimes and Misdemeanors; and that they should consider thereof, and report their Opinion, what was most proper to be done towards the further Proceedings thereon; and that they should have Power to send for Persons, Papers and Records, and meet at such Times and Places as they should think fit.

The 30th of January being the Anniversary of the Martyrdom of King Charles I. was observed as usual, and great Notice was taken, at this critical Juncture, of the Sermons that were preach'd before both Houses of Parliament. Dr. William Fleetwood, Lord Bishop of St. Asaph, who preach'd before the Lords, chose his Text in 2 Kings Chap. viii. Ver. 13. And Dr. Richard West, Prebendary of Winchester, and Lecturer of St Paul's Covent Garden, preached before the Commons: His Text being out of Jeremiah, Chap. xxx, Ver. 19. *In those days they shall say no more, the Fathers have eaten sour Grapes and the Children's Teeth are set on edge.* His Sermon which seemed to run wholly upon just and rational Principles, however gave Offence to many, yet he had the Thanks of the House for it, tho' a Stratagem was laid to prevent it, and the Lords gave the Bishop the same.

In the Interim the Queen was pleased to go to the House of Lords with the usual Solemnity, and the Commons being sent for up, and attending accordingly, Her Majesty gave the Royal Assent to the Lottery Bill, entituled, *An Act for Continuing part of the Duties upon Coal, Culm, and Cinders, and granting new Duties upon Houses having Twenty Windows or more, to raise the Sum of 1500000 l. by way of Lottery for the Service of the Year 1710.* The Books for receiving Subscriptions to this Lottery were open'd the 20th, at Mercers Chapel; and the Crowd was so great, that above 600000 l. were subscribed that Day, and towards the End of March the whole Sum of 1500000 l.

The Commons on the 25th taking into Consideration that many of their Members, at that Critical Juncture, did not attend the Service of the House; they resolved that such of them as absented without Leave, should be reputed Deserters of their Trust,

January. and Neglectors of that Duty they owed to that House and their Country.

Mr. Walpole made Treasurer of the Navy; Mr. Cardonel Secretary at War, and Earl Rivers Constable of the Tower.

On the 22d, Count Maffey, Envoy Extraordinary of the Duke of Savoy, had his first private Audience of Her Majesty: And on the 26th, the Marquess Paleotti, Envoy Extraordinary from the Duke of Guastalla, had his private Audience of Leave.

Here we may observe, that to the Duke of Marlborough, after his Return from the Campaign in Flanders, at his first Appearance in the House of Lords, the Lord Chancellor, according to Order, return'd the Thanks of that House, for his eminent Services in the last Campaign, by a Speech, to the Effect following.

The Lord Chancellor returns the Thanks of the Duke of Marlborough to the House of Lords.

THAT he was Commanded by the Lords to give his Grace the Thanks of that House, for his Continued and Eminent Services to Her Majesty, and the Publick, during the last Campaign. Of which, nothing could be greater said, than what Her Majesty (who always speaks with the utmost Certainty and Exactness) had declared from the Throne; that it had been, at least, as Glorious, as any which have preceded it: But that this Repetition of the Thanks of that August Assembly, had this Advantage of the former, that it must be look'd upon as added to, and standing on the Foundations already laid in the Records of that House, for the preserving his Memory fresh to all future Times. So that his Grace had also the Satisfaction of seeing this Everlasting Monument of his Glory rise every Year much higher. That God might continue, in a wonderful manner, to preserve so invaluable a Life, that he might not only add to that Structure, but finish all, with the Beauties and

A Complete History of the
and Ornaments of an Honourable and lasting
Peace.

To which his Grace replied,

I Look upon it as the greatest Mark of Honour
I could receive, that your Lordships are
pleased to take Notice of my Endeavours to serve
the Queen and my Country. I beg Leave to do
Justice to all the Officers and Soldiers who have
serv'd with me. It is not possible for Men to shew
more Zeal for Her Majesty's Service, or greater
Bravery, than they have done.

Her Majesty all this while being no way neglect-
ful of Affairs upon the Continent, and well know-
ing by a long Experience the unreasonable Delays
and Irresolution of the *Germanick* Body, she sent the
following Letter, towards the close of the last Year,
to the Diet of the Empire.

Most Illustrious and Wise Men, our dear Friends,

WE have formerly exhorted you several times, so
to order Matters, that the War, which was
so justly begun, and so successfully carried on hi-
therto, might still be continued in all Parts, against
the Common Enemy, with so much Vigour, that
we might the sooner, and the more effectually at-
tain the End which we proposed to our selves, for
so many Years past: But we think it convenient
at this Time, to renew our Sollicitations in the
most pressing Terms, with all the Confederate
Princes and States: And we instantly desire you;
seriously to take this our Letter into Considerati-
on, and not to suffer it to be altogether fruitless
and ineffectual. We have to deal with an Enemy
equally *Crafty* and *Vigilant*, who lets no Occasion
slip, wherein he may hurt us or our Allies, either
by Cunning or Force of Arms. We see how ob-
stinate, and of what an irreconcilable Spirit he is;
and that nothing is farther from his Thoughts,
than Peace, which he pretended to the last Spring
with so much Deceit. We find there's neither
Honesty nor Sincerity in him; which plainly ap-
pears by the Artifices with which he endeavours

*Queen of
England's
Letter to
the Diet of
the Empire
Decemb.
26, 1709.*

to amuse the Allies; and by the Answer he lately
 made to Monsieur de *Pettecum*, Resident of *Hollers*.
 We also take notice, that he raises Recruits with
 all possible Diligence; That he considerably aug-
 ments his Forces, and that he erects great Maga-
 zines of Ammunition and Provisions. Wherefore
 since Peace is not to be obtained but by the Conti-
 nuation of the War, there's a Necessity incumbent
 on the Allies to make their utmost Efforts to have
 on Foot a much greater Number of Troops than
 for the Time past; in order, as far as it lies in our
 Power to prevent the Enemy's Designs. It would
 be needless to shew at large, with how much
 Trouble, Vigilance, and Care we have endeavour-
 ed to promote the Good of the Common Cause;
 and how we have not neglected, as often as the
 publick Welfare seemed to require it, both to
 augment our Troops beyond our Quota, and to ex-
 pend vast Sums of Money. And now, when we
 are like to enjoy the Fruits of the Victories for-
 merly gained over the Common Enemy; we are
 still ready to augment our Forces to the utmost of
 our Power; that the other Allies being awaken'd by
 our Example, may likewise augment their Troops
 beyond what they have done hitherto. Wherefore
 we renew our repeated Instances with You, as be-
 ing the illustrious Council of the whole; That by
 your Credit, Advice and Encouragement, you may
 exhort all the Electors, Princes and States to make
 great Efforts; so that the Army of the Empire may
 be early in the Field, more numerous than hereto-
 fore, and well supply'd with Provisions and Mo-
 ney. It were superfluous to represent to you how
 much it concerns the Allies, that there be on the
Upper Rhine a powerful Army against the Enemy,
 not only to cover the Frontiers of the Empire, but
 likewise to extend the same: That by retaking
 from *France* the Territories that Crown has usurp-
 ed, she may not be in a Condition either to carry
 the whole Weight of the War into *Flanders*, or to
 gain some Advantage over you, and in some man-
 ner retrieve her Affairs by the great Number of her
 Troops, on which she relies. You cannot but ob-
 serve, with how many Dangers, Inconveniencies
 and

and Difficulties we are threatened from the Disunion *January*
 and Negligence of the Allies: Whereas if every
 one should furnish his Quota in time, as he ought,
 and is able, the Confederate Forces would be so
 considerable and numerous, that there's no Reason
 to doubt, that, with God's Blessing, we shall pull
 down the Spirit of that proud Enemy, and force
 him at last to consent, even against his Will, to the
 Peace which he has hitherto so haughtily rejected,
 upon such Conditions as may for ever secure the
 Repose and Tranquility of Europe. As for the
 rest, we heartily pray God to take you into his
 Holy Protection.

Your Good FRIEND,

Given at Our Palace
 of St. James's, 26th
 Dec. 1709. O. S.

A N N E, R.
 And Lower,
 H. BOYLE.

The Queen and her Allies might write Letter up-
 on Letter, and their Envoys put in Memorial after
 Memorial to the Diet, all signified next to nothing,
 as the Event proved; of which his Electoral High-
 ness of *Hanover* was so sensible, that he signified to
 the Imperial Court his Design to lay down his Com-
 mand of the Army of the Empire. 1. Because all
 his Endeavours to remedy the Disorders of the Af-
 fairs of the Empire, and his Exhortations to induce the
 Members thereof to send their respective Quota's into
 the Field, proved ineffectual. 2. That the Northern
 Crowns being in Arms, and the Circle of the Lower
Saxony threatened with a Civil War, his Presence was
 become necessary in his own Dominions: His Im-
 perial Majesty writ to the Elector very pressingly
 hereupon, and desir'd at least he would suspend his
 Resolution, seeing the Forces of the Empire would
 be put upon a better foot than before; but it did not
 appear so by the Event.

*Elector of
 Hanover's
 Reasons
 for laying
 down his
 Command
 of the Ar-
 my of the
 Empire.*

In the mean time the Elector of *Hanover* was in-
 vested with the Dignity of Arch-Treasurer of the
 Empire, which was vacant since the Elector Pala-
 tine had been restored to the Dignity and Preroga-
 tives enjoy'd by his Ancestors, which was the re-in-
 stating him in the Possession of the Upper Palatinate,

*Elector of
 Hanover
 made
 Arch-
 Treasurer
 of the Em-
 pire.*

January and so first Secular Elector of the Empire: But lest any body should mistake and imagine that the Management of the Revenue of the Empire is thereby entrusted with his Electoral Highness, for all the Money that passes through his Hands amounts to a very small Sum; his Function at the Inauguration of the Emperor, or King of the Romans, is to throw some few Medals and Pieces of Money among the People. This is but a titular Dignity erected by the Treaty of Munster in 1648: For the Dignities belonging to the other Electors, as Arch-Cup-bearer of the Empire to the King of *Bohemia*, Arch-Chamberlain to the Elector of *Brandenburgh*, and others, were settled by the Golden Bull.

The nature
of this Office.

While these things were in Agitation, the French Court seemed very desirous of setting up fresh Negotiations of Peace. We have in our preceding History given an Account of Mr. *Petticourt*, the *Holstein* Resident's going about the Month of *November* from the *Hague* to *Paris*, and of the vigorous Resolutions of the States General upon his Return, which see, p. 335. with their Letters to the Queen of Great Britain thereupon, p. 342. we shall now insert the French Court's Project of Peace, wherein the Allies had no manner of Share, and which they rejected as soon as it was communicated, to this Effect.

French
Court's
Project of
Peace.

THOUGH the Engagement the King had enter'd into for Peace. was void, as soon as his Majesty's Enemies refus'd to conclude it, upon the Conditions he had been pleas'd to offer them; Nevertheless, he is so sincerely desirous to contribute to the speedy Re-establishment of the Tranquility of Europe, that he still consents to treat upon the same Conditions he then vouchsafed to grant, if the Princes and States actually in War against him, are likewise willing to treat upon that Foot, to agree upon a Place for the Conferences, and to form an Assembly of Ministers authoriz'd to treat and sign the Peace; The Conditions whereof to be,

I. As for *Spain*; an Authentick Promise on the King's part, to acknowledge, immediately after the Signing of the Peace, the Arch-Duke *Charles* of *Austria*, in Quality of King of *Spain*, and in general,

of all the Territories depending on that Monarchy, *January*
as well in the Old as New World; excepting only,
the States and Countries, which the King of *Portu-
gal* and the Duke of *Sawy* have, by their Treaties
concluded with the Emperor and his Allies, agreed
to dismember; and excepting also the Places, which
the Arch-Duke has engaged to leave to the States-
General of the United Provinces of the *Netherlands*.

A like Promise, not only to withdraw all the Suc-
cours his Majesty has been able to give the King his
Grandson, but also not to send him for the future
any Assistance to maintain himself upon the Throne,
of what kind soever, directly or indirectly. And
for a Pledge of the Performance of this Promise, his
Majesty is willing to entrust the States General with
Four of his Places in *Flanders*, which he shall chuse,
to be deliver'd into their Hands, and to be by them
kept, till the Affairs of *Spain* are terminated; as Ho-
stages and Security of the Word which he shall give
them, not to concern himself, directly or indirectly,
with the Affairs of that Monarchy.

He will likewise promise to forbid his Subjects,
under severe Penalties, to live among the Troops of
his Catholick Majesty, obliging himself to have such
a strict Regard to the Observation of such his Prohi-
bition, that none shall act contrary thereto. His
Majesty is pleas'd also to consent, That neither the
Monarchy of *Spain*, nor any Part of it, shall ever
be united to the Monarchy of *France*; and that no
Prince of the House of *France*, may either Reign, or
acquire any thing in the Extent of the Monarchy of
Spain, by any of the Methods which shall be all spe-
cify'd. The *Spanish Indies* shall be comprehended
in all that shall be said with respect to the Monarchy
of *Spain*, as making a principal Part thereof; and
the King will promise, That no Vessel of his Sub-
jects shall go to the said *Indies*, either to traffick, or
under any other Pretence.

II. As for the Emperor and Empire; the King
will restore the Town and Ciradel of *Strasburgh*, in
the same Condition they are now in. Fort *Kehl* shall
likewise be restor'd, with the Artillery specify'd in
the VIIIth Article of the Preliminaries; the Town
of *Strasburgh* to be hereafter re-establish'd in the Pre-
rogatives

January.

rogatives and Privileges of an Imperial Town, and enjoy the same as it did before it was under his Majesty's Government.

He will likewise consent to restore to the Emperor the Town of *Brisac*, with its District, and the Artillery specified in the IX Article of the Preliminaries; to content himself with the Possession of *Alsace*, according to the Literal Sense of the Treaty of *Westphalia*, and the X and XI Articles of the Preliminaries; to leave to the Empire the Town of *Landau*, with Liberty to demolish the Fortifications thereof; and lastly, to raze those he has caus'd to be built upon the *Rhine*, from *Bazil* to *Philipsburgh*; all of which shall be specify'd.

He will consent, That the Town of *Rhinfelds* be deliver'd up to the Landgrave of *Hesse Cassel*, and that the IVth Article of the Treaty of *Ryswick* be discuss'd in the Conferences. He will acknowledge the Elector of *Brandenburgh* in Quality of King of *Prussia*, promising not to give him the least Disturbance in the Possession of *Neuschatel* and *Valengin*: and he will also the IXth Electorate, erected in favour of the Duke of *Hanover*.

III. As for *England*; he will acknowledge the Princess *ANNE* in Quality of Queen of *Great Britain*, and the Order of the Succession to that Crown, as it is settled in the Protestant Line, according to Acts of Parliament. His Majesty will yield the Isle of *Newfoundland* to that Crown, and agree to a mutual Restitution of all that has been taken in the *Indies*, as well on the Part of *France*, as on that of *England*, during the present War. His Majesty will cause all the Fortifications of *Dunkirk* to be razed, and the Harbour to be demolish'd, promising, that they shall never be repaired. He will likewise consent to the Design which the King of *England* (Pretended Prince of *Wales*) has form'd to quit *France*, as soon as the Peace shall be made: provided he has entire Liberty to retire and go whither he pleases, and live there in perfect Safety.

IV. As for the States General of the United Provinces; the King will yield to them, for a Barrier, all the Places named in the XXII Article of the Preliminaries; to wit, *Furnes*, *Fort Knocque*, *Menin*, *Ypres*, *Lisle*,

Ello, Furnay, Cond and Maubray, with the Dependencies, and upon the Conditions specify'd in the same Article. As for the Places in the Netherlands, which do still belong to the King of Spain, the King withdrawing his Troops out of them, will cause them to be deliver'd up to the Arch-Duke, immediately after the Signing of the Peace. His Majesty will confirm what he has offer'd to the States General, with respect to their Commerce; and the XXV Article of the Preliminaries shall be punctually observ'd.

January

V. As for the Duke of Savoy; the King is willing to grant the Demands which that Prince's Allies have made for him, by the XXVII and XXVIII Articles of the Preliminaries. But his Majesty likewise demands, That the Electors of *Cologne* and *Bavaria* be restor'd to their Estates and Dignities, and their Ministers admitted in the Conferences of Peace to take Care of their Interests therein.

Lastly, Coming to a Treaty of Peace, and not to a Truce, the Time appointed for the Execution of these Conditions, shall be according to the ordinary Custom of Treaties, after the Ratifications are exchanged.

'Tis upon this Foundation that the King again proposes to send Plenipotentiaries to treat of Peace, and to make use of the Space of Time which the Winter affords for that Purpose, before the Opening of the next Campaign comes on.

If the Offers which his Majesty is pleas'd to make are not accepted, he declares, That he is free from any Engagement, and that there will be no Cause to attribute to him the Prolongation of a War, in which so much more Christian Blood will be spilt.

This Project was at the same Time accompanied with the following Letter from the Marquis de Torcy to the Resident *Pettecum*.

THE Departure of the last Post did not allow me Time, Sir, to decypher and read your Letter of the 20th past, which came to my Hands just as I was concluding that I wrote to you. I have since seen the Observations made, upon the Answer which you delivered to

Mons. de Torcy's Letter to M. Pettecum.

January.

W

the Pensionary, at your Return into Holland. It seems to me, that you and I foresaw, that those who are not desirous of Peace, would not fail, according to their usual Custom, to impeach the Sincerity of France, and to shift upon her the Retarding of the Negotiation. But should I answer such threadbare Discourses, the Letter I should write to you would be equally long and useless; and the Misfortune is, Time's too precious to be squander'd in vain Reasonings. To be short, I send you, in a Memorial apart, the Conditions upon which the King is willing to treat, and those which his Majesty cannot accept, in the manner they have been demanded of him; because the Execution of them depends not upon him, and if he should engage, and not perform, this were not to make Peace. Communicate the Memorial, if you please to the Pensionary, and desire an Answer to it. An Affair of this Consequence would well deserve to be talk'd over, and that Some body on the King's part should be admitted into Holland to treat: You may, therefore, propose this. The Answer I made you, when you set out hence, has been printed at the Hague; and I have receiv'd a Copy of it. I know not why they add, at the end, the Proposal which is supposed to have been made you, to return hither to regulate the Formalities as to the manner of assembling. I also saw in some Letters from Holland, that you are charged with saying, you were impower'd, at your Return to the Hague, to propose, on the King's part, some Partition for the King of Spain. I did not believe this, because you had no such Commission. Perhaps, it would nevertheless be the surest Means to remove the Difficulties of the Articles which the King cannot down with. But indeed, this Matter cannot well be treated, before Conferences of Peace, either Private or Publick, are agreed upon, I wish the Time for this may be reserv'd for the Year we are just enter'd upon; and that God, in renewing it, would inspire Men with more pacifick Thoughts, than they have had in the preceding Years. I desire you would continue to let me hear from you, and to be persuaded, that I am most truly, Sir, entirely yours. This

This Project being rejected by the Allies, the French resolved to make further Overtures, and dispatched a Courier to the Hague with a Letter from the Marquis de Torcy, importing, that the French King consented, That the Preliminaries, that were concerted in May, should be the Basis and Foundation of the Future Treaty, and had appointed the Marshal d'Uxelles, and the Abbot of Polignac, his Plenipotentiaries to treat with the Allies, of an Equivalent for the 37th Article, who would be ready to meet those of the Allies at Antwerp, or any other Place, if the Allies would but send them the necessary Passes, of which we shall hear more in another place.

French King appoints the M. d'Uxelles and the Abbot de Polignac his Plenipotentiaries

About this Time Anthony Ulrick, Duke of Wolfenbittel, embraced the Romish Religion, and made his private Abjuration on the 6th, to the Surprise of every Body, that so learned a Prince should embrace such Popish Fopperies.

Duke of Wolfenbittel turns Papist.

The Czar's Forces were not idle even in this Season of the Year; for they made a Conquest of the City of Elbing, which was very glorious to the Arms of his Czarish Majesty; of which these are the Particulars: Major General Nostitz having pretended to be making Preparation of all Things, that he might the better succeed in the Design he had form'd to carry the Place by Assault, commanded out 2000 Men and divided them into seven Bodies, to make so many Attacks at Five a Clock in the Morning; that is to say, five real Attacks and two feigned ones, with Order in case one of them should succeed, to push the Swedes home without giving them Time to recollect themselves: Pursuant to this Order, the Troops mov'd under the Command of Brigadier Balck, and after they had pass'd the Ditches, they scal'd the Wall on the Side of the new Town and of the Corn-Magazines, and enter'd the Place notwithstanding the Fire of the Cannon, with which the Ramparts were well provided, and the Opposition of the main part of the Garrison; and besides, the Bastions and Works had Mines under them. The Swedes were push'd to the Bridge of the old Town over the River, where for some time they made an obstinate Resistance; but at last were obliged

Muscovites take Elbing from the Swedes.

January.



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liged to give way, and were pursued to the great Square of the old Town, where Brigadier Belsa made all the Garrison Prisoners, with the two Lieutenant-Colonels who commanded them. This Action was the bolder, because the Town is fortified with 12 Royal Bastions, two Churches filled with Water, and a high Wall with Ramparts of Turb. Major-General Nostitz in Consideration of the gallant Behaviour of the commanding Swedish Officers in this Action, return'd them their Swords, till the Czar's Pleasure was known. Those Officers confess they could not conceive how the Major General came to hazard such an Enterprize, and yet less how it came to succeed so happily, attributing the Success entirely to the Conduct and Bravery of the Officers and Soldiers of his Czarish Majesty. The Prisoners were the Lieutenants-Colonels Bethun and Zager, 10 Captains, 13 Lientenants, 12 Ensigns, 99 Subalterns and Gunners. 766 Soldiers. The Muscovites found in the Place 3180 pound Weight of Gunpowder, 185 Iron Cannon, 12 Iron Mortars, and 128 Hand Mortars of Brass.

Prisoners.

Plague ceases at Dantzick.

As for the City of Dantzick, which for the greatest part of the last Year laboured under the heavy Judgement of God the Plague, it now became quite freed from it; for there died no more the last December but only 79, which was somewhat under the usual Number, when the City was entirely free from contagious diseases, whereas the Burials for the preceding Year amounted to 24603, whereby it appears that about 24000 Persons died of the Plague within that Year.

A sad Disaster at Riga.

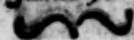
Dantzick being thus freed, Riga, besides the Bombardment of it continued by the Muscovites, had a very disastrous Accident happen'd to it: The Laboratory that was built in one of the Bastions of the Citadel blew up, with 800 Barrels of Powder; as likewise the Hospital, wherein were above 1200 sick Soldiers, a very great Number of Artificers and Cannoniers, and 600 serviceable Soldiers, who all perish'd to a Man. The Bastion being thus demolish'd fill'd the Ditch; and the Breach was 21 Paces broad, so that the Horse might have easily pass'd in. This Mischance so frightened the Garrison, and caus'd

so great a Confusion, that 'twas believ'd there was
some Treachery, and that the Enemy were already
at the Gate of the City. The Governour fell to
the Earth and lost his Hearing, Major General
Af-fendeb! in concert with some Colonels, order'd
Dung to be brought to endeavour, in some sort, to
repair the Breach; and caus'd three Rows of Palli-
sades to be made.

Now the Season of the Year having not been so
hard in the North, as it used to be, the Danes laid
hold of the Opportunity, to attack the *Swedish*
Towns, before the Forces of that Crown were as-
sembled, and therefore on the 30th their Troops
left their Quarters between *Womsloe* and *Ringsloe* and
the next Day the Foot advanc'd as far as *Ooster* and
Wester-Wram, and the Horse to *Wa*. Lieutenant-
Colonel *Scheel*, who was detached before to take
Post further into the Country, met a Party of the
Enemy of 30 Horse, whom he defeated, and took
9 Prisoners. The 22d upon Advice that 600 Horse
of the Garrison of *Christiansstad* had pass'd over the
Bridge of *Torsloe*, Orders were sent to Lieutenant-
Colonel *Scheel* to advance towards them, and to
make himself Master of the said Bridge. He in his
March thither discovered 200 *Swedish* Horse posted
in a Village, whom he resolv'd to attack, but upon
his Approach they retir'd with Precipitation to-
wards *Christiansstad*; so that arriving at the Bridge
aforesaid, he found that the *Swedes* were busie in
breaking down the same; whereupon he order'd
25 Dragoons to dismount, and advance nearer, and
to fire upon the *Swedes*, which they executed with
so much Bravery, that the Enemy retir'd. The
Day following they discovered, that the Cavalry
of the *Swedes* had posted themselves on the other
side of the River, in a Plain, but the Artillery be-
ing brought nearer to fire upon them struck such a
Terror amongst them, that after the first discharge
they retir'd over the Mountains. The Adjutants-
General *Klepping* and *Meyer* with 100 Men were
thereupon commanded to take Possession of the
Bridge, guarded but by a few of the Enemy, upon
whom they fir'd, and forc'd to retire; after which
the *Danes* found Means to climb over the half ruin'd
Bridge,

Danes
lost the
Swedes
in Sch-
nen.

January.



Danes
take Chri-
stianstadt.

Bridge, and post themselves on the other side of the River, they were followed by the Regiment of Colonel *Gaffron*, and the Bridge being in less than half an Hour repaired, the rest of the Troops with the Artillery passed over the same, and took Post on the other side, where they defeated a *Saxon* Battalion, and posted themselves at *Lungby*, where they found a good Magazine; after which they attacked some Intrenchments with so much Bravery near *Christianstadt*, wherein were posted 2 or 3000 *Swedes* Horse and Foot, that after the first Discharge, 600 *Swedes* were forced to lay down their Arms and surrender Prisoners of War. The rest consisting of most Horse, was thereupon attacked by the *Danish* Cavalry with a great deal of Vigour, and after a stout Resistance obliged to retire, leaving behind them Four Colours, Three Standards, One pair of Kettle Drums, all their Ammunition and Forage, after which the *Danes* entered *Christianstadt* in Triumph, and *Te Deum* was sung in the Royal Chapel at *Copenhagen* for the same.

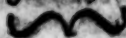
Czar's
Triumphal
Entry into
Muscow.
Dec. 21.
1709.

Having done at present with the *Danes* and *Swedes*, in *Schonen*, if we travel in this dark and cold Season of the Year into *Muscovy*, we shall meet in the Capital of that Empire, with one of the finest Shews that ever was seen in these parts of the World, or perhaps in any other since the Declension of the *Roman* Empire, and that is the Czar's Triumphal Entry into that City, which was thus regulated. On the 11th his Czarish Majesty, attended by Admiral *Apraxin*, and several of the Nobility, arrived at a Country Seat, called *Kolomski*, which is about five *English* Miles distant from that City. Prince *Menkikoff* went thither on the 14th, and on the 16th, the whole Court took up their Lodgings in one of the Suburbs which is separated from the Town by the River *Moscow*. His Czarish Majesty had appointed to receive the Compliments of all the Foreign Ministers on the 17th. but a great Fire happening to break out in the Neighbourhood, the British Envoy was obliged to defer his Visit 'till the Day following, at which time the Czar received him with great Distinction at Prince *Menkikoff's* Apartment, and was pleased to confer with him several Hours.

Hours. Monsieur *Fal* Envoy from the King of Denmark to that Court, together with Monsieur *Grand*, his Predecessor, had Audience of his Majesty on the 19th. In the mean time divers Persons of the first Quality, as well *Russians* as Foreigners, daily addressed his Majesty in a private manner; but it being inconvenient that the Court should long in a Place where they were so very ill accommodated, his Majesty gave Orders that the publick Entry should be made on the 21st, although the Preparations which were making for that Solemnity were not compleated, and the triumphal Arches, of which they had erected Seven, were not perfectly finished.

The necessary Instructions being accordingly given, the Procession was preformed on the 21st in the following manner: The *Seminowski* Regiment led the Way, who were followed by the Cannon, Colours, and Officers that were taken in the Battle against General *Lewenhaupt*; these were closed by a Company of the *Preobrasenski* Guards. The *Swedish* Remains of the Battles of *Pultowa* and *Perewolofsch* marched in the next Place. The Non-Commission'd Officers of this Body led the Way, next to them the Ensigns and second Lieutenants, in the third Place came the Lieutenants, and next to them the Captain-Lieutenants, after whom the Captains of both the Foot and Horse. These were followed by the Officers and other Attendants of the Train of Artillery, who preceded the Ordinance. After which were carried the Kettle-Drums and Colours. Then marched the Majors, Lieutenants Colonels, Colonels, and General-Adjutants, who were succeeded by the King of Sweden's Household and Equipage, together with the Litter and Bed that he used in the Day of Battle; after which came the chief Officers, each marching single in his Order: Monsieur *Posse* Colonel of the Guards, Major-General *Hamilton*, Major-General *Stackenberg*, Major-General *Rose*, Major-General *Cruise*, Major-General *Czeitz*, Major General *Schlippenbaab*, General *Lewenhaupt*, Field-Marschal *Rheinschild*. The whole being closed by Count *Piper*, the King of Sweden's first Minister of State. His Majesty

January.



Majesty mounted on a stately English Horse, which had been presented to him by King Augustus, with his Sword drawn, which was formerly a Present from King Augustus to the King of Sweden, followed the Prisoners at the Head of the Prussian Guards, having Prince Mentikoff on his Right, and Prince Dolgoruki on his Left. In this Order they made their Procession through the City, and his Majesty was received, at the first Triumphal Arch by the Magistrates, at the second by Prince Gayarin Governor of the Town, at the third by the Nobility, at the fourth by the principal Merchants, at the fifth by the Clergy at the sixth by the Empreſſes Dowager and the Princesses of the Blood, and at the last by the Burghers. The Foreign Ministers had separate Houses allotted them for the Ceremony; and his Majesty made a short Stand at the respective Places where they stood. The Cannon were fired several times round the Town during the Solemnity, and all possible Demonstrations of Joy were expressed on that great Occasion.

About Eight or Nine thousand common Soldiers that were taken Prisoners, were brought into the Town on the Day preceding; but the Officers belonging to the King of Sweden's Foot-Guards having not arrived from Kiew soon enough to appear in the Czar's Triumphant Entry, they were publickly conducted into that City on the 27th with the same Solemnity as the other Prisoners had before marched.

Fireworks
at Mos-
cow.

On the 1st Instant, his Czarish Majesty treated all the chief Persons of Quality, and the foreign Ministers, at a publick Dinner. In the Evening, a sumptuous Firework, on which were several Representations and Inscriptions, was prepared, and went off with great Exactness. The chief Machines were a Phaeton struck with a Thunderbolt, and another Figure in Allusion to a late Medal struck in Sweden. Two Pillars were first lighted, which supported Imperial Crowns, and were adorned with a great Variety of blue, green, and pale Flames; when they had burnt some time, a Lion moved forward, on whose Approach, the first

Left Pillar broke short at the Pedestal; but as he advanced near the Second, a Spread Eagle, representing his Majesty's Arms launched a Rocket, which blew up the Lion's Head and Neck, and the Pillar remained firm to the last.

The King of Sweden was all this while at Bender, concerning whose Condition, Interest, Negotiations. and Return Home, there were so many different Accounts as could scarce ever be reconcilable; but all the Interest he had at the Ottoman Port, could not possibly prevent the Prolongation of the Truce between the Muscovites, and the Turks; however, there are somethings in the following Letters written by the Minister of the Czar at the Port, to the Resident of the same Prince at Vienna, that will not be unacceptable. as containing some Particulars in Relation to that Treaty and the Return of the King of Sweden, as projected by the Turks, which have not been yet made Publick. These are to this Effect.

I Have transacted with all imaginable Success the Affairs of the Czar our most Gracious Master, in this Court, and as the Swedes have used all possible means to prevent it. and engage this Empire into a War, their Mortification must be proportionable to their Disappointment. The Assurances given by the King of Sweden have not appeared, to have so real a Foundation, that they might be depended upon; and this Court seems to have no other Intention than to find some way to send that Prince into his own Kingdom; and even for that desires the Consent of our most August Master. They do not intend to make use of any Force of Arms, but Friendly desire that he may have a free and safe Passage into his Territories, with a few of his own Men. This being communicated to me I have insisted as a Condition, that none of the Rebellious Cossacks shall be allowed to accompany that Prince, which this Court has approved, and promised to detain them in their Dominions, and that their Case shall be afterwards taken into Consideration. You may easily guess, that the King of Sweden is not satisfy'd with their Resolutions

A Letter from the Czar's Minister at Constantinople to his Minister at Vienna, Dec. 30, O. S. 1709.

January.

‘ taken as to his Return, and that instead of accept-
 ‘ ing the same, he will either return Home by the
 ‘ way of *France* by Sea, or by Land through *Hungary*,
 ‘ of which your Excellency may have a better Ac-
 ‘ count at the Imperial Court than I can have here,
 ‘ and whether or no they will grant him Passage.
 ‘ I do not see that the Port will interpose any Offices
 ‘ with the Imperial Court to obtain it.

Another
 Letter a-
 bout the
 Affairs of
 Muscovy,
 from the
 Port, by
 the same
 Hand.

‘ NOTwithstanding the false Rumours spread in
 ‘ this Country by the Enemy, and the Artifi-
 ‘ ces used to create a Division and War between
 ‘ the *Muscovites*, and the *Turks*, their Endeavours
 ‘ have at last proved of no Effect. The Peace and
 ‘ Friendship have been renewed and confirmed with
 ‘ the Port, and all occasion of Mistrust removed; for
 ‘ on the 3d of *January*, having been admitted to the
 ‘ Audience of the Grand Signior, I received from the
 ‘ Grand Vizier, in the Presence of his Imperial Maje-
 ‘ sty the new Treaty concluded upon the Foundation
 ‘ mentioned in my former. There is no room to
 ‘ doubt that the *Turkish* Forces, which were assem-
 ‘ bled on the Frontiers, are separated by order of
 ‘ this Court, and returned to their former Quarters;
 ‘ and that this Peace and Tranquility will be more
 ‘ firm than it was at first. The Condition concern-
 ‘ ing the safe Return of the King of *Sweden* into his
 ‘ Dominions, has been agreed upon as desired by
 ‘ the Port, and therefore it is agreed, that that Prince
 ‘ shall set out from *Bender* with about 100 of his
 ‘ own Men, attended by a *Pascia* and 2 or 300 *Turks*,
 ‘ who are to be his Guard, till he arrives on the
 ‘ Frontiers of *Poland*, where he shall be received by
 ‘ an Officer of the *Czar* with some Soldiers, who
 ‘ are to be his Guard through *Poland*, and see him
 ‘ safe in his own Dominions, and his Passage is to
 ‘ be free without any manner of Molestation; but
 ‘ not one *Cossack*, without any Exception, is to go
 ‘ with the *Swedes*. There are some other Particu-
 ‘ lars in the Articles relating to the safe Return of
 ‘ that Prince; but all amount to this, That he is
 ‘ to be conducted through *Poland*, in such manner,
 ‘ as is not unlike a Captive. If the King of *Sweden*
 ‘ refuses to accept of these Terms, and return by
 ‘ the

the way that has been proposed, the Port will not concern themselves any further for his Return, and leave it to him to take the best way he shall think fit. These being the Conditions agreed upon and ratify'd, you may impart the same to the Publick, or to whom you shall think fit. I am, &c.

The Reader will not be displeased after he has perused these two Letters, to be given to understand that on the 14th the *Sieur Tolstey*, Ambassador and Plenipotentiary of the Czar, was conducted to the Audience of the Grand Signior in great Ceremony, and exchanged with that Prince the Ratifications of the Treaties mentioned to be concluded for prolonging the Truce of *Carlowitz* between the 2 Empires for 21 years longer, without including this present Year. That Ambassador appeared with an extraordinary Magnificence, and his Retinue made a fine Appearance. The Formalities observ'd on this Occasion were as follows.

The Chiaus Bassa with 160 other Chiauses, went early in the Morning to the Ambassador's House, to receive him, and conduct him to an Audience of the Sultan. When his Excellency was ready, the Cavalcade began: First came the Chiaus Bassa with the other 160 Chiauses, all on Horseback magnificently accouter'd; they were follow'd by 200 Janisaries with their Officers; after whom came an Aga of the Port on a Horse with rich Trappings, with 12 Footmen (call'd here *Ciadari*) walking by him. Next 48 of the Ambassador's Footmen cloathed in the German manner, in Liveries trimm'd with Gold Galloon; each with a Feather in his Hat and a Cane in his Hand. In the midst of these Footmen was his Excellency's Gentleman of the Horse, nobly mounted, and attended by 12 Grooms on foot, each leading a Horse with costly Houplings and other Furniture. Then came the first Interpreter, with 10 Sub-Interpreters and 14 Youths, all on Horseback in long Habits Lin'd with fine Furrs, and followed by 8 Lackeys in Liveries trimm'd with Gold, and wearing Caps on which were Embroider'd the Arms of the Czar of *Muscovy*. Next came 12 Pages on Horseback,

January. Horseback, cloathed in Crimson Velvet with Gold Galloon; and then came the Ambassador on a stately Horse, whose Furniture was trimm'd with Jewels. His Excellency was cloathed in Velvet in the German Fashion, with Diamond Buttons; wearing in his Hat a Diamond Clasp valued at 25000 Crowns; and all the Jewels he had about him were valued at 80000 Crowns. About his Excellency's Horse walked 26 Footmen in the Turkish Habit, their Caps fac'd with Sable. The March was clos'd by 230 *Muscovites*, the first of which were Merchants, and the rest Gentlemen and Officers of the Ambassador, all well cloathed and mounted. His Excellency entering the Seraglio, was received and complimented by the Grand Visier who treated him at Dinner with great Magnificence; after which, the Ambassador, accompanied by six of his principal Gentlemen, was introduced to the Sultan, who was in his Closet with the Grand Visier. His Excellency paying the usual Reverence, made a Speech; which done, the Grand Signior, with his own Hands, deliver'd to him the Instrument of the Treaty, which his Excellency receiving, gave it to one of his Gentlemen to take care of it. His Excellency was reconducted to his House with the same Ceremony he came.

If by the way of *Greece* and *Dalmatia* we should travel into *Italy*, we shall find little at the Respective Courts there but speculations and close Designs; and that somewhat unhappily five *British* Men of War and 6 *Dutch* arrived at *Leghorn* on the 12th, off of *Provence*, having been forc'd from their Station by a violent Storm, which hinder'd them from taking a *French* Fleet laden with Corn from the *Levant*, except 3 Ships which they brought to that Place. But two *Zealand* Privateers, the *Griffin* and *Grenadier*, took another Ship out of the same Fleet, and the *Dolphin* and *Tinne-pot*, 2 other *Dutch* Privateers, took a *French* Ship of 24 Guns, having on Board 110 Lasts of Corn, beside 2 other Prizes; one a *French* Ship from the *West-Indies* which they sent to *Port Mahon*, and another laden with Corn; one of which was formerly an *English* Ship of 36 Guns. But the rest of the *French* Fleet consisting of 38 small Ships and 45 Barks, arrived safe at *Toulon* and *Marseilles*; of which

of which the French made great Bouncings, as well for their having got clear of the Enemy, as if they had brought in as much Corn as would serve all France at a moderate price. *January.*

Affairs being not of that Importance as to require us to tarry any longer in Foreign Parts for the present, let us reassume the Thread of our History at Home. We have before mentioned the Lords communicating the Answer put in by Dr. Sacheverell to the Impeachment of the Commons, which having by them been referred to the Committee that had drawn up those Articles, Mr. Dolben reported from them, That they had considered the same, and found there were contained therein many Things not warranted by the Course of Proceedings upon Impeachments, foreign to the Charge, unbecoming a Person Impeach'd, and plainly designed to Reflect upon the Honour of the House; and did humbly submit to the Judgment of the House their Opinion; that for avoiding any Imputation of Delay to the Commons in a Case of so great Importance, a Replication should be forthwith sent up to the Lords, maintaining the Charge of the Commons, and that the Committee had accordingly prepared the same; which they had directed him to report to the House, and he read the same in his Place, and afterwards delivered the Report in at the Table, where the same was read. Then the Replication was read a second time, which occasioned a Debate, in which some of the Doctor's Friends insinuated, as if it were adviseable to leave this Offender to the ordinary Course of Justice: But the Question being put, it was resolv'd, by a Majority of 182 Voices against 88, That the said Replication should be the Replication of the Commons to the Answer of Dr. Henry Sacheverell; and ordered that the same be engross'd, being as follows:

February.

Report of the Committee about Dr. Sacheverell's Answer.
2.

THE Commons have considered the Answer of Henry Sacheverell Doctor in Divinity, to the Articles of Impeachment exhibited against him by the Knights, Citizens and Burgeses in Parliament assembled, and observe that there are many

Replication of the Commons.
3.

February.

things in it not warranted by the Course of Proceedings upon Impeachments, foreign to the Charge of the Commons, unbefitting a Person impeach'd, and plainly designed to reflect upon the Honour of the House of Commons in this Proceeding, for which they might demand your Lordships immediate Justice.

But the Commons being sensible that the Nature of the Crimes whereof he stands Impeach'd, and the Necessity of bringing him to a speedy and exemplary Punishment require, that all occasions of Delay should be avoided, and not doubting that your Lordships will in due time vindicate the Honour of the Commons, and the Justice of their Proceeding, the Commons do aver their Charge against the said *Henry Sacheverell* for High Crimes and Misdemeanours to be true; and that the said *Henry Sacheverell* is guilty in such manner as he stands Impeach'd; and that the Commons will be ready to prove their Charge against him at such convenient time as shall be appointed for that purpose.

Message
from the
Lords to
the Com-
mons, a-
bout Dr.
Sachever-
ell's Tryal.

Managers
appointed
by the
Commons.

On the 3d *Mr. Dolben*, by Order of the Commons, carried the Original Answer of Dr. *Sacheverell*, and the Replication thereunto, to the Lords, who the next Day sent a Message to the Commons, That their Lordships had appointed the Thursday following, being the 9th of that Month, at Eleven a Clock in the Forenoon, for the Tryal of *Henry Sacheverell* Doctor of Divinity, at the Bar of their House; and that their Lordships would take care that there should be Conveniencies made there for the Managers of the Commons at the Tryal upon the Impeachment against him. Hereupon the Commons ordered their Sergeant at Arms to go to *Westminster-Hall*, Court of Requests, and Places adjacent, and summon the Members there to attend the Service of the House; and being returned, it was resolv'd, That Managers should be appointed to make good the Articles of Impeachment against Dr. *Henry Sacheverell*; and ordered that the Committee to whom it was referr'd to draw up the said Articles, be the said MANAGERS, viz.

I. Sir

- 1715
1. Sir John Holland, Comptroller of her Majesty's Household.
 2. Mr. Secretary Boyle.
 3. Mr. Smith, Chancellor of the Exchequer.
 4. Sir James Adair, Attorney-General.
 5. Robert Eyre, Esq; Solicitor-General.
 6. Robert Walpole, Esq; Treasurer of the Navy.
 7. Sir Joseph Jekyll.
 8. Mr. Lechmere.
 9. Mr. Dolben.
 10. Sir Thomas Barker.
 11. Sir Peter King, Recorder of the City of London.
 12. Sir John Hawles.
 13. The Lord William Powles.
 14. The Lord Coningsby.
 15. Mr. Compton.
 16. Mr. Thompson.
 17. Lieutenant-General Stanhope.
 18. Lieutenant-General Mordaunt.
 19. Mr. Compton.
 20. Sir David Dalrymple.

Two of whom, viz. Lieutenant-General Mordaunt, who was reported to be sick, and Sir David Dalrymple, never appear'd at all at the Trial.

It being afterwards debated, and the Question put whether the House in a Body, or a Committee of the whole House should be present at the Trial? It was carried for the Committee of the whole House, by a Majority of 192 Voices against 180: And the Doctor's Friends having on this occasion been the stronger, Mr. Bromley, one of the most eminent amongst them, was sent to the House of Lords to acquaint their Lordships with that Resolution; and to desire that a convenient Accommodation might be prepared for the Commons.

Mr. Bromley having on the 6th carried this Message to the Lords, their Lordships the same Day sent a Message of their own to the Commons, to acquaint them, That they had ordered the Lords, with white Staves, humbly to move her Majesty, that She would be pleas'd to give Order for a Place to be prepared in Westminster-Hall, for their Lordships to proceed upon the Trial of Dr. Sacheverell. On the 8th the Lords sent another Message to the Commons importing, That her Majesty had given or-

The Com-
mons re-
solved to
assist in a
grand
Committee
at the
Trial.

6.
Messengers
of the
Lords to
the Com-
mons. 8.

der,

February. *Feb.* that a Court be prepared in *Westminster Hall*, for the said Trial, which would take up some Time; and therefore the Trial could not be at the time appointed; but that as soon as the Place was prepar'd, the Commons should have Notice of the Day of Trial. The next Day Dr. *Sacheverell* made his Appearance at the Bar of the Lords House, but he was told that his Trial was put off, and that he should have timely Notice when it should come on.

The Day of Trial put off.

In the mean time the Doctor's Friends, both in the Cities of *London* and *Westminster*, and in several Places in the Country, were extremely busy, and in their private Meetings drank his *Health and Happy Deliverance*; giving out every where that this was the Cause of the Church; while others lessened his Character, ripp'd up his Faults, and made him a very inconsiderable Person.

Dr. Sacheverell's Friends drink his Health and Deliverance.

20.

On the 20th the Lords sent a Message to the Commons to acquaint them, That their Lordships had appointed Monday the 27th for the Trial of *Henry Sacheverell* Doctor in Divinity, before their Lordships in *Westminster Hall*: Whereupon the Commons appointed a Committee to go and see what Conveniencies and Accommodations were made in *Westminster Hall*, for the Committee of their House and the Managers to be at the Trial.

23.

Three Days after Mr. *Onslow* reported from that Committee, that having view'd the said Places accordingly, and that they expressing their Dislike; several Alterations had been made since, and they now found Accommodations for Four Hundred Persons, besides the Managers; which Report having the next Day been taken into Consideration, the Commons made the following Orders:

24.

Orders of the Commons relating to Dr. Sacheverell's Trial.

I. That nothing that shall be said by any Member of this House, or by any Person that shall be produced as a Witness in behalf of the Commons of Great Britain, in the Trial of Dr. *Henry Sacheverell*, be Printed or Published without the Leave of this House.

II. That no Person (but Members of this House) do presume to sit in the Place prepared for the said Mem^r

Members in *Westminster-Hall*, at the Trial of Dr. *Henry Sacheverell*.

III. That the Passage for the Members of the House to and from their Places in *Westminster-Hall*, be kept clear, for their more convenient Passage; and that the Sergeant and Officers attending this House do take care accordingly.

IV. That the Committee appointed to see what Conveniencies and Accommodations are made in *Westminster-Hall* for the Committee of this House, and the Managers, at the Trial of Dr. *Henry Sacheverell*, do Examine and Report to the House what other Provision may be made for securing the said Passage; according to the afore-mentioned Order.

On the 25th the Commons made these further Orders.

V. That a Message be sent to the Lords by Mr. *Dolben*, with the Names of such Witnesses as are to be examined to make out the Impeachment against Dr. *Henry Sacheverell*, and to desire that the Lords will make forth Summons for their Attendance at the said Trial on Monday next, viz. for *Henry Clements* Bookseller, *Thomas Elliott* and *Richard Macy* his Servants.

VI. That Mr. *Fodrell* (Clerk of this House) do attend at the said Trial with the Two Sermons shewed to the said Dr. *Henry Sacheverell* at the Bar of this House.

VII. That the Door to the Place appointed for the Members of this House at the Trial of Dr. *Henry Sacheverell* be not opened till Mr. *Speaker* comes to the same.

VIII. That the Managers of the Impeachment against Dr. *Henry Sacheverell* do first go out of the House to the Places appointed for them in *Westminster-Hall*, before the other Members do go out of the House.

IX. That after Mr. *Speaker* shall have left the Chair (according to the Resolution of the House) to be at the Trial of Dr. *Henry Sacheverell*, as a Committee of the whole House, the Members be called over by the Clerk by their Counties as usual, for their more regular Proceeding,

X, That

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X. That no Member do presume to go out of the House till the County for and in which he serves be called.

XI. That the Constables of *Westminster* do give their Attendance for keeping the Passages to and from *Westminster-Hall* clear, that the Members of this House may not be incommoded.

The same Day the Lords sent a Message to the Commons, to acquaint them, That their Lordships would give Order for summoning the Witnesses to be produced, as desired: And all things for Dr. *Sacheverell's* Trial being thus prepared, on the 27th, between Eleven and Twelve in the Morning, the Lords went to the Court in *Westminster-Hall*, where a vast number of Spectators of both Sexes had been admitted by the Lord Great Chamberlain's Tickets. The Formality was thus:

Dr. Sacheverell's Trial begins. 27.

The Formality of the Lords going to the Trial.

The Lord Chancellor's Gentlemen Attendants, two and two. The Clerks of the House of Lords, with the two Clerks of the Crown in the Courts of *Chancery* and *King's Bench*. The Masters in *Chancery*, two and two. Then the Judges. The Peers Eldest Sons, and Peers Minors, two and two. The Yeoman Usher of the House. The Gentleman-Usher of the Black Rod. Then the Peers, two and two, beginning with the youngest Barons. The Serjeant at Arms with his Mace. Then one of the Heralds. Then the Lord Chancellor alone. The Lords being seated in the Place for that Purpose prepared in *Westminster-Hall*, and the Commons in a Committee of the whole House being in the Seats prepared for them, and the Managers for the House being at their Lordships Bar, the Serjeant at Arms made Proclamations as follow:

Proclamation made.

Serjeant at Arms. Oyes! Our Sovereign Lady the Queen doth strictly Charge and Command all manner of Persons to keep Silence upon Pain of Imprisonment.

Serjeant at Arms. Oyez! Henry Sacheverell, Doctor in Divinity, come forth, save thee and thy Bail, or thou forfeitest thy Recognizance.

Dr. Sacheverell at the Bar.

Then Dr. Henry Sacheverell came to the Bar and kneeled, his Council, viz. Sir *Simon Harcourt*, Mr. *Dodd*,

for the Dodd, Mr. Phipps, Mr. Dea, and Dr. Henshaw, standing near him at the Bar; and rising again by Direction of the Lord Chancellor, the Sergeant at Arms again made Proclamation as follows:

Sergeant at Arms. Oyez! Whereas a Charge of High Crimes and Misdemeanours has been exhibited by the House of Commons, in the Name of themselves and all the Commons of Great Britain, against Henry Sacheverell, Doctor in Divinity; all Persons concerned are to take Notice that he now stands upon his Trial, and they may come forth in order to make good the said Charge.

Another Proclamation.

Then the Lord Chancellor said, Dr. Sacheverell, it is needless to give you any Directions concerning your Behaviour during the time of your Trial, or the ordering your Defence, because the Lords have not only allowed, but assigned you, the Council you desired, some both of the Civil and Common Law, who will be well able to direct and advise you not only in the Substance but Form of your Defence. The Lords have also made an Order for Summoning all such Witnesses as you have propounded, to appear for you. And that you might be the better able to provide for your Defence, you have had your Liberty on the first Application for it, and giving Security for your Appearance; you have also had all the time you thought fit to desire, in order to prepare for your Defence: So that you ought never to remember that their Lordships have used towards you all the Indulgence you could reasonably expect.

Lord Chancellor's Speech to Dr. Sacheverell.

This done, and the Clerk, by the Direction of the Lord Chancellor, having read the Articles of Impeachment, Dr. Sacheverell's Answer, and the Replication of the House of Commons, Sir James Montague, Attorney-General, and one of the Managers, spoke first in behalf of the Commons of Great Britain, and said, My Lords, by Command of the Knights, Citizens and Burgesses in Parliament Assembled, we appear in behalf of all the Commons of Great Britain, to make good the Impeachment against the Prisoner at the Bar, Dr. Henry Sacheverell. The Misdemeanours he stands accused of are specified in the Articles which have just now been read

Attorney-General and Mr. Lechmere open the Articles against Dr. Sacheverell.

February. to your Lordships, and the Facts there Charged are Laid to have been done with a Wicked, malicious, Seditious Intention, to Undermine and Subvert her Majesty's Government, and the Protestant Succession as by Law established, to Defame her Majesty's Administration, to asperse the Memory of his late Majesty King *William*, to Traduce and Condemn the late happy Revolution, to Contradict and Arraign the Resolution of both Houses of Parliament, to create Jealousies and Divisions amongst her Majesty's Subjects, and to incite them to Sedition and Rebellion.

My Lords, if this Charge is made good (as I am apt to think it will) I may presume to say no Words can either aggravate or alleviate the Offence. Our Proofs in this Case will arise from Evidence which cannot be liable to the Imputation of being overaw'd by the weight of the Prosecutors, or corrupted or perverted; for out of his own Mouth we shall Charge him, and by his own Words and Sermons we shall convict him.

My Lords, I can with Truth say, that it is no small Trouble to the Commons of *Great Britain*, to have this Occasion of coming in this manner before your Lordships: Could they have satisfy'd themselves that her Majesty's Honour, the Safety of her People, and the Protestant Succession, as by Law Established, were not highly concerned to bring this Man to speedy Justice, they could very willingly have spared your Lordships this Trouble. But when they consider'd of what Import it was to the Nation, how much it concerned the very Being of our Constitution, to Discourage and put an End to such sort of Seditious Proceedings, as the Doctor and some other of his Brethren have been lately practising in divers Parts of the Kingdom, they could not think otherwise than that it was a Matter fit for the grand Inquest of the Nation to take notice of; and finding it to be a Cause of so great Moment to the Publick, they judg'd it fit to be taken under their own Management, and not trust it to the Decision of any Inferior Tribunal. And, my Lords, it must be agreed that your Lordships are the only proper Judges, when the whole Commons of *Great Britain*

Dr. Sacheverell have any just Cause to Complain
of this manner of Proceeding, when it gives him so
publick an Opportunity of Defending himself if his
Innocence can clear him; and what can he desire
more, when he lies under so heavy an Accusation,
than to have your Lordships for his Judges, who
have already shewn your great Indulgence to him,
by allowing him (as the Noble Lord from the Wool-
pack just now observed) all the Advantages a Man
under his Circumstances can ask, or desire to have.

My Lords, This Prosecution took its Rise from a
Complaint that was made in the House of Com-
mons the Thirteenth of *December* last, of two Books
which had been lately Printed and Published under
the Name of Dr. *Henry Sacheverell*: The Books be-
ing delivered in, several Paragraphs were read, and
by divers Passages, too many for me now to enu-
merate to your Lordships, it did plainly appear that
both Books did contain very scandalous and sediti-
ous Matter, highly reflecting upon the Queen and
her Administration.

Hereupon the Doctor was Ordered to attend;
which he did accordingly the next Day, and at the
Bar of the Commons House own'd and avow'd both
Books to be his, that they were Sermons he himself
had preach'd, and that he had caused them to be
Printed and Published. After such a Confession,
your Lordships may imagine her Majesty's Dutiful
Commons did express their just Resentments of the
great Wrong and Injuries that were done to her
Majesty, and all that were in Authority under her,
and immediately Ordered this Impeachment. Your
Lordships will perceive by Perusal of the Sermons
and Epistles Dedicatory, that the Design and Drift
of the same is to possess the People with strange No-
tions, and terrible Apprehensions of the Danger
they are in by a General Male-Administration of the
Publick Affairs both in Church and State. That
both these Sermons were preach'd upon publick
Occasions, and had, since the Printing thereof, been
handed about with more than ordinary Application.

One of these Books is Entitled [*The Communication
of Sin*] being a Sermon preach'd at the Assizes held

at

February. at Derby in August last; and because the Doctor thought he had not said enough against the Queen and her Government in the Sermon, he affixed a Dedication to it, wherein he affirms, that the Principles of our Church and Constitution are shamefully betrayed and run down; that both are persecuted, on the one side by rude and presumptuous Insults, and base undermining Treachery on the other, and that this Persecution is carried on by associated Malignants. The other Sermon was preach'd at St. Paul's, London, on the Fifth of November, which is a Day set apart for a general Day of Thanksgiving for two very great Deliverances vouchsafed to this Nation, by the Discovery of the Gunpowder Plot, and the Arrival of his late Majesty King William to Redeem us from Popish Tyranny and Arbitrary Power.

My Lords, When ye come to hear this Sermon read, I am confident that it must appear very strange to find that when there were two such memorable Occasions for the Doctor to have set forth his Eloquence in a Thanksgiving-Sermon, he should in a great measure pass by both the Business of the Day, and entertain his Audience with a long Harangue of the deplorable Condition the Church was in, not so much from Papists, the avow'd Enemies of the Church, as from her pretended Friends, as he calls them, the False Sons of the Church, who were crept into her Bowels, and shew'd themselves to be perfidious Brethren, by defending Toleration and Liberty of Conscience, and favouring the Dissenters.

And to shew his little Liking of the great Work which was begun to be wrought on that Day by the Arrival of his late Majesty, the chief Turn of his Discourse is to cry up Non-Resistance and Passive Obedience. And to make it most Evident, that what he said of Non-Resistance, was to cast black and odious Colours upon the Revolution, he lays down a general Position, *That it is not lawful upon any Pretence whatsoever, to make Resistance to the Supreme Power*; which Supreme Power, by other Passages, he explains to be the Regal Power. And being apprehensive that every one that heard him

talking

talking in that manner against Resistance, would see February. plainly he was Censuring and Condemning the Means that brought about the Revolution; and being desirous to cast as heavy Reflections as he could upon the Memory of King William, he Asserts, That the Prince of Orange in his Declaration utterly disclaim'd all manner of Resistance.

My Lords, Every Body knows, that knows any thing of the Revolution, That the Prince of Orange came over hither with an Armed Force, and that in several Paragraphs of his Declaration (the Doctor speaks of) *His late Majesty invites and requires* all Peers of the Realm, both Spiritual and Temporal Lords, all Gentlemen, Citizens, and other Commoners to come in and Assist him, in order to the executing that Design he had then undertook against all that should endeavour to oppose him. Therefore it must be accounted very ridiculous for the Doctor to advance such a Position, if he had no further Meaning in it, than to give an Account of the Prince of Orange's Design in coming over here into England. And this will make it necessary for your Lordships to consider what is the true Meaning of this; Is it not plainly to make the Prince of Orange say one thing, and at the same time do directly another? And can this be done with any other Design, than to asperse the Memory of the late King William?

Then as to his Discourse concerning Passive Obedience and Non-Resistance, in such Latitude as is there mentioned, what could it tend to but to cast Reflections upon that Resistance which was the Means which brought about the Revolution? For was there any Occasion at that Time to be so earnest to cry down Resistance, and preach up Passive Obedience? Can any one pretend to say there were any Symptoms of Discontent throughout the Nation, in any Parts thereof? No: To our Comfort be it Spoken, no Reign, no Age, no History can give a better Account of the good Dispositions of the People to their Sovereign. Therefore since the Preaching these Doctrines was needless, it does savour of some wicked Design to be talking so unseasonably of this Subject.

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If what the Doctor very frequently Asserts in this Sermon be true, *That all are False Sons of the Church who assisted in bringing about the Revolution, or that join'd in the Opposition that was made to the Encroachments that were begun by evil Ministers in the Reign of King James the Second, against our Religion and Liberties*, let the Doctor a little consider how far his Character of a *False Brother* may be carry'd. Every Body knows, that liv'd in those Days, that the Body of the Clergy of the Church of England made a noble Stand against the Encroachments which were then making, and were as Active as any of the Laity.

And was it not by their Writings, Preaching, and Example, that the Nobility and Gentry were animated to maintain and defend their Rights, Religion and Liberties? And as an undoubted Monument that this was the Sense of the whole Kingdom at the time of the Revolution, it is entred in the Journal of the House of Commons on the first of February, 1688, *That the Unanimous Thanks of the House was given, Nemine Contradicente, to the Clergy of the Church of England, for the great Services they had done their Religion and Country, by the Opposition they had made to the Execution of the Ecclesiastical Commission, and their refusing to read the King's Declaration for a Toleration, which was then founded upon the Dispensing Power.*

And how did the Archbishops receive the Message that was sent them upon this Occasion, that they might communicate that Resolution to the Clergy in their respective Diocesses? Our Journals tell us, that Mr. *Levison Gower* the next Day acquainted the House of Commons, that he attended the two Archbishops, according to Order, with the Thanks of the House; and that Archbishop *Sanerose*, and the then Archbishop of York, return'd their Thanks to the Commons for themselves, and in behalf of all their Clergy, for their favourable Vote.

Your Lordships see the Commons were then happy enough to be thought favourable to the Clergy of the Church of England; and yet those very Commons were the Men who passed the Toleration Act for exempting Protestant Dissenters from the Penalties of certain Laws, as one of the most necessary Acts for the Good of the Kingdom. And were they
not

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not encouraged to go about that charitable Work, by the Petition of the Seven Bishops presented to King James, wherein they acquainted him, That it was not for Want of a due Tenderness to Dissenters which made them refuse reading his Declaration for Toleration to Dissenters, in relation to whom they were willing to come to such a Temper as should be thought fit, when the same came to be considered in Parliament?

But now the same hath been considered in Parliament, and the Toleration hath been Settled and Established by the Legislative Authority of the Kingdom, and hath been ratify'd and approv'd of in this Reign, by Her Majesty and both Houses of Parliament; Doctor Sacheverell belike disapproves of it, and is pleased to tell us in a most extraordinary manner, That a Man must be very weak, or something worse, that thinks or pretends the Dissenters are to be gained by any other Grants or Indulgences, than giving up our whole Constitution; and he that recedes the least Tittle from it, to satisfy and ingratiate with these Clamorous, Insatiable, Church-devouring Malignants, knows not what Spirit they are of.

After such an ample Declaration of his Opinion, what fatal Consequences will attend the granting Indulgences to Dissenters? Can the Doctor imagine that his Saying in his Answer to the Articles, That he intends not to cast the least invidious Reflection upon that Indulgence the Government has condescended to give them, will take off the hard Censures he hath passed upon Dissenters?

And, my Lords, If an Archbishop, who hath been dead almost an hundred and twenty Years cannot be permitted to rest quiet in his Grave, but must have foul Aspersions cast upon his Memory, as being a False Son, and a Perfidious Prelate of the Church, for interceding (as Dr. Sacheverell says) with Queen Elizabeth for the Dissenters in those Days: What must the present Archbishops and Bishops of our Church expect from Dr. Henry Sacheverell, if they do not thunder out their Ecclesiastical Anathemas against Dissenters, as often as the Doctor shall think there is Occasion for them?

My Lords, I perceive the Doctor hopes to salve all he said against Toleration to Dissenters by a nice

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Distinction he hath hit upon between an Indulgence and a Toleration. Therefore he tells your Lordships, that upon the most diligent Inquiry, he hath not been able to inform himself that a Toleration hath been granted by Law. Can the Doctor pretend to say, that this Word Toleration has never been made use of to express the Religious Liberty and Indulgence that is granted and allowed to Dissenters? If we wanted Authorities to justify the Use of the Word, after the Doctor has made use of it in the same Sense over and over, in many Passages in his Sermon, as will be taken Notice of by the Gentlemen that are to make good the second Article, the Doctor might be put in Mind, that Her Majesty in Her Speech from the Throne, on the 17th of December, 1705, hath been pleased to declare, That she will inviolably maintain the Toleration.

My Lords, As the Time was most Unseasonable for the Preaching such Doctrines as these, so the Place was very Improper for a Lecture of Politicks. For your Lordships do perceive this latter Sermon, which was preach'd on the 5th of November last, was preach'd in the great Metropolis of this Kingdom, before the Lord-Mayor, Aldermen and Citizens of London; from whose steady Loyalty to Her Majesty, and firm Affections to the Revolution, such vast Sums have been contributed for carrying on this long War against France, which have proved so fatal to the French King, and other Enemies of this Kingdom. And what more likely to give a fatal Wound to the Publick Credit at this Time, than such Doctrine which tends to the Overthrow of all the Acts of Parliament, which hath been made in Support of this Constitution. And how strange an Attempt was it for the Doctor to Preach against the Revolution and this Government, before those Citizens who owe the Restoration of their Charters, and all their Franchises and Immunities to it.

But, to do Justice to the Doctor, he in his Answer denies he hath said any Thing of the Means which brought about the Revolution. And if your Lordships can believe him, he says, *he has endeavoured to vindicate the Revolution from the black and odious Co-*

lours

For the Enemies of the Revolution would throw back upon Her Majesty's late Majesty.

To what End and Purpose then are these Crimes Preach'd with so much Vehemence at this Time, unless it be to reflect backwards upon what was done at the Time of the Revolution? There is certainly no Occasion to preach Non-Resistance to Her Majesty's Loyal and Dutiful Subjects, who have never shewn the least Inclination to give Disturbances to this present Government. Was there ever known a Time in which there was so Universal an Agreement in all Ranks and Degrees amongst us? Does not every one almost strive to shew their Zeal and Affection for Her Majesty and Her Government? If there be any that are less quiet than their Neighbours, we shall find them amongst the Friends of Doctor Sacheverell, who are professedly no Friends to the Revolution. Nothing is more certain, than that all that are not satisfied with what was done at the Time of the Revolution, must be Enemies to the present Establishment; and it is from this Source all these Declamations against Men of Character and Station both in Church and State do proceed.

But I would have the Doctor consider, that we have Laws to punish Spreaders of false News and horrible Stories of the great Men and great Officers of the Kingdom; and 'tis to put a Stop to these malicious Practices now on Foot, that this Delinquent is now brought to this Bar. When we shall have read our several Proofs, which will justify every Particular charged on the Doctor in the Articles of Impeachment, the Commons will not doubt of your Lordships Judgment against this Defendant.

Mr. Attorney having done, Mr. Lechmere took the word, and said, My Lords, I am commanded to Assist in stating to your Lordships the Grounds of the Charge of the Commons, and the Nature and Tendency of the Crimes now before you in Judgment. Your Lordships have had open'd to you an Impeachment of the Commons of Great Britain; the Subjects of both Nations had an equal Concern in that which is the Ground of it; they are happily

Mr. Lech-
mere's
Speech.

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united in this Prosecution, and the Common Interest of your Lordships, and us all, is inseparable in its Event. I need say no more to your Lordships of the Greatness of this Cause, nor for the Person of the Offender, but for the high Importance of those Matters which he has presumed to draw in Question.

The Commons, on their part, have been exceedingly careful in every Step of this Proceeding, that it should receive a Deliberation suitable to the *Wights of the Cause*, and the *Dignity of the Commons*; and they observe it to your Lordships with great Satisfaction. That by your ready Concurrence no Difficulties have arisen to delay or discourage their Impeachment: They ascribe this to a Desire in your Lordships, equally with themselves, to cultivate a good Correspondence on so important an Occasion, and to that due Regard your Lordships shew to the Course of Impeachments, the *ancient Right*; and *great Security* of the Commons. In framing their Charge, the Commons have thought fit, by a Preamble to their Articles, to lay before you the Grounds of their Accusation, in Terms the most cogent and expressive; to the end your Lordships might have early and perfect Notice of the Points, on which the Commons intended to proceed; That your Lordships, and the whole Kingdom, might know the unanimous and hearty Zeal of the Commons to assert the Justice of the late happy Revolution, and the Foundation of Her Majesty's Government and Administration; and that the *Judgment* of the Commons, on this weighty Occasion, might stand *fully on the Records of Parliament*, and be transmitted to all *Posterity*.

Your Lordships will observe, in Reading their Evidence, many Things excepted to by the Commons, precedent to the Ground of their first Article; but you will soon perceive that all Parts of the Design of the Prisoner center in that: They could not therefore have acquitted themselves, if they had not made that their Foundation: Being firmly convinced, they never can have the Honour and Justice of that glorious Work too much at Heart, nor be too jealous of those who under any Pretences, *though never*

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never so specious, shall attempt to lessen it; And when they consider the certain Dependance that the Justice of the late Revolution it self must have upon the Steps that led to it, they can have no doubt but your Lordships will think him equally Criminal, who condemns the Means by which it was effected.

My Lords, *The necessary Means*, (which is the Phrase us'd by the Commons in their first Article) are Words made choice of by them *with the greatest Caution*. Those Means are described, in the Preamble to their Charge, to be, That glorious Enterprize, which his late Majesty undertook with an armed Force, to deliver this Kingdom from Popery and Arbitrary Power; the Concurrence of many Subjects of the Realm, who came over with him in that Enterprize, and of many others of all Ranks and Orders, who appeared in Arms in many Parts of the Kingdom in Aid of that Enterprize. These were the *Means* that brought about the Revolution, and which the Act that passed soon after, declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown, intends, when his late Majesty is therein called the *The Glorious Instrument of delivering the Kingdom*; and which the Commons, in the last Part of their first Article, express by the Word *Resistance*.

But the Commons, who will never be unmindful of the *Allegiance* of the Subjects to the *Crown* of this Realm, judg'd it highly incumbent upon them, out of Regard to the Safety of Her Majesty's Person and Government. and the Ancient and Legal Constitution of this Kingdom, to call that Resistance, *The Necessary Means*; Thereby plainly founding that Power and Right of Resistance, which was exercised by the People at the Time of the happy Revolution, and which the Duties of Self-Preservation and Religion call'd them to, upon the Necessity of the Case, and at the same time effectually securing Her Majesty's Government, and the due Allegiance of all Her Subjects.

Your Lordships will find, that the Prisoner, in his Sermon preach'd at St. Paul's, has asserted a Doctrine in direct Defiance and Contradiction to that Resistance us'd to bring about the Revolution, when

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he affirms the utter Illegality of Resistance, on any Pretence whatsoever, to be a Fundamental of our Constitution, and, and your Lordships will hear it fully made out from the Proofs by those Gentlemen to whom that part is assigned, he has also plainly declared himself, that even that Resistance, used at the time of the late happy Revolution, is not to be excepted out of his Fundamental Rule.

My Lords, When a Preacher of the Gospel, and a Minister of the Church of England, even under this happy Establishment, shall thus publicly condemn the Foundation upon which it stands: in Defiance of Her Majesty and the great Council of the Nation then sitting in Parliament, it becomes an indispensable Duty upon us, who appear in the Name and on the Behalf of all the Commons of Great Britain, not only to demand of your Lordships Justice on such a Criminal, but clearly and openly to assert our Foundation.

I crave Leave to remind your Lordships of the Condition of Things in both Kingdoms, immediately preceding the late Revolution: The Case is stated, and recorded, between the late King James and the Subjects of both Kingdoms, in the several Declarations of the Rights of both Nations made by them at that Time. I shall forbear to aggravate the Miscarriages of that unhappy Prince, further than by saying, That it is declared in the Preamble to the Bill passed in England, *That by the Assistance of Evil Counsellors, Judges and Ministers, employed by him, he did endeavour to subvert and extirpate the Protestant Religion, the Laws and Liberties of the Kingdom, in the several Instances there enumerated:* And in that passed in the Kingdom of Scotland it stands declared, *That, by the Advice of Evil Counsellors, he did invade the Fundamental Constitution of that Kingdom, and alter'd it from a legal limited Monarchy, to an Arbitrary Despotick Power.*

Your Lordships, on this Occasion, will again consider the ancient Legal Constitution of the Government of this Kingdom, from which it will evidently appear to your Lordships, that the Subjects of this Realm had not only a Power and Right in themselves to make that Resistance, but lay under an indispensable

dispensable Obligation to do it. The Nature of our Constitution is that of a limited Monarchy, wherein the Supreme Power is communicated and divided between Queen, Lords and Commons, tho' the Executive Power and Administration be wholly in the Crown. The Terms of such a Constitution do not only suppose, but express an Original Contract, between the Crown and the People, by which that Supreme Power was [mutual Consent, and not by Accident] limited and lodg'd in more Hands than one; and the uniform Preservation of such a Constitution for so many Ages, without any Fundamental Change, demonstrates to your Lordships the Continuance of such a Contract.

The Consequences of such a Frame of Government are obvious; that the Laws are the Rule to both, the common Measure of the Power of the Crown and of the Obedience of the Subject; and if the Executive Part endeavours the Subversion, and total Destruction of the Government, the Original Contract is thereby broken, and the Right of Allegiance ceases, that Part of the Government, thus fundamentally injur'd, hath a Right to save or recover that Constitution, in which it had an Original Interest. Nay, the Nature of such an Original Contract of Government proves, that there is not only Power in the People who have inherited its Freedom, to assert their own Title to it, but they are bound in Duty to transmit the same Constitution to their Posterity also.

'Tis mispending your Lordship's Time to Illustrate this, 'tis an eternal Truth essential to the Government it self, and not to be defaced or destroyed by any Force or Device. That the Rights of the Crown of *England* are Legal Rights, and its Power stated and bounded by the Laws of the Kingdom, That the Executive Power and Administration it self is under the strictest Guard, for the Security of the People; And that the Subjects have an Inheritance in their ancient fundamental Constitutions, and the Laws of the Land, Appears from every Branch of this Government; 'Tis the Tenor of all Antiquity, our Histories and Records afford innumerable Proofs of it; and when your Lordships look
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back on the History of *Magna Charta* alone, you can't doubt of the Sense of our Ancestors, that they were Masters of Franchises that were truly their own, and which no Earthly Power had Right to extort from them: Many others of incontestable Authority are those Valuable Relicks which our Populish Ancestors have left us, as Proofs of the Freedom of our Constitution, of the constant Claims they made, both in and out of Parliament, to their Inheritance in their Laws, against the Incroachment of Arbitrary Power; and when the *last Extremity* call'd them to it, they never fail'd to vindicate them by the Arms of Resistance.

' Such was the Genius of a People, whose Government was built on that noble Foundation, *not to be bound by Laws, to which they did not consent*; that muffled up in Darkness and Superstition, as our Ancestors were, yet that Notion seem'd engraven on their Minds, and the Impressions so strong, that nothing could impair them.

Upon the Reformation of Religion, when all Foreign Power was abolished, and the Supremacy of the Crown was restor'd to its height by many Acts of Parliament, your Lordships will always find Declarations at the same time made of the Rights of the People, particularly that of the 25 H. VIII. where 'tis said, that *the Realm of England is free from any Man's Laws, but such as have been devised, made, and ordain'd within the same, for the Wealth of it, or such other as the People of the Realm have taken at their free Will and Consent, and by long Use have bound themselves to, as the Ancient Establish'd Laws of the Realm, and none otherwise.* Your Lordships will, I doubt not, consider those Laws made at that Time to be fresh and remarkable Declarations, and Ratifications, of the Original Contract.

This Excellent Constitution of our Government, has been, through many Struggles, preserv'd from that Time to this, and the true Spirit of the *English* Nation still kept alive, down to the Times of the late happy Revolution; At which Time the Danger being Imminent, not only to the Laws and Liberties of the Kingdom, but to the Protestant Religion

THE ANCIENT VIR'TUE OF THE
ENGLISH

ENGLISH NATION EXERTED IT SELF, *February.*
 AND SHONE OUT IN ITS FULL LUSTRE,
 IN THAT GLORIOUS WORK.

The many Laws pass'd since, more particularly those for the Settlement of the Crown and Succession, are so many repeated Declarations of their late Majesties, and Her Majesty now on the Throne, together with the Representative Body of the Nation, in Confirmation of their Ancient Constitution; I say, my Lords, we have higher Testimonies to appeal to, the many glorious Successes with which God Almighty has blessed the Arms of Her most Sacred Majesty, employ'd in Defence of the Arms of Resistance, are so many Testimonies from Heaven in our Vindication.

Your Lordships take notice on what Grounds the Doctor continues to assert the same Position in his Answer. But is it not most evident, that the General Exhortations to be met with in the Homilies of the Church of *England*, and such like Declarations in the Statutes of the Kingdom, are meant only as Rules for the Civil Obedience of the Subject to the Legal Administration of the Supreme Power in ordinary Cases? And it's equally absurd to construe any Words in a positive Law to authorize the Destruction of the whole; as to expect that King, Lords and Commons should, in express Terms of Law, declare such an ultimate Resort as the Right of Resistance, at a time, when the Case supposes, that the Force of all Law is ceased. But the Commons think he hath, by his Answer, highly aggravated his Crime, by charging so pernicious a Tenet, as that of absolute unlimited Non-Resistance, to be a Fundamental Part of our Government, and by asserting this as the Doctrine of the Church of *England*.

It is a great Reproach to the Excellency of our Constitution, to impute such Principles to it as inevitably infer its Destruction; and an equal Dishonour to the Crown of this Realm, the great Glory of which is to be set over and govern a Nation of Free-born Subjects, the meanest of which has an Inheritance in the Government and the Laws equal with the greatest. They likewise esteem it an high Reflection on Religion it self, and the Church of *England*,

The Commons must for ever consider themselves under the strongest Obligations of Gratitude to our great Deliverer, to assert the Honour and Justice of that Resistance, by which he rescued an oppressed People from inevitable Destruction; and think they should not deserve the Name of Subjects of Great Britain, or the least Blessing of so good a Government, if at this time before your Lordships, and for ever hereafter, they did not assert, in the most strenuous manner, the Honour and Justice of that Resistance which brought about the late happy Revolution. And upon this Foundation it is, that they doubt not but your Lordships will in a Parliamentary way, fasten a Brand of Indelible Infamy on that enslaving Tenet by which it's condemn'd.

I shall take up less of your Lordships Time on the following Articles.

The Commons esteem the Toleration of Protestant Dissenters to be one of the earliest and happiest Effects of the late Revolution, wisely calculated for the Support and Strengthening the Protestant Interest, the great End of the Revolution it self. They remember, with the highest Gratitude to Her Majesty, Her Royal Resolution declared from the Throne, to preserve it inviolably; and they observe to your Lordships, that it appears to them, from a Report on their own Journals of a Conference between both Houses, on the Bill against Occasional Conformity (not meant to enlarge the Liberties of Protestant Dissenters.) That the Prosecution of Protestants is, in the Preamble to that Bill, declared to be contrary to the Christian Religion, and the Doctrine of the Church of England, and the Act of Toleration ought to be kept inviolably; and the Commons find no Exception then taken by your Lordships to that Declaration, but on the contrary, many Expressions from both Houses, highly extolling the Policy and good Effects of that Law.

Your Lordships will perceive, from the Evidence of the Commons, many plain Declarations of the Pri-

for the Year 1704
Prisoner in Maintenance of this Article, but we of
it to your Lordships, as a further Evidence,
that he most shamefully arraigns the Memory of a
relate, Eminent for his Zeal to the Protestant Reli-
gion, for his compassionate Intercessions with Queen
Elizabeth, in favour of Dissenting Protestants; a
reflection plainly meant by him to cast an Oidium
on the Act of Toleration, and on the present Fathers
of the Church, so eminent for their Charity and
Moderation; and from the Applauses he gives to
the Severities shown by that Queen, he illustrates
the Calumny thrown by him on Her present Maje-
sty, and Her Approbation of the Toleration: Your
Lordships will duly consider the Malignity of Ex-
pressions meant to condemn so good a Law, now
standing in its full Force, and to encourage the Un-
christian Principles of Persecution.

The latter part of the second Article is founded
on the Legal Supremacy of the Government in
Matters Ecclesiastical, by which all Ecclesiastical
Jurisdiction, by the ancient undoubted Laws of the
Kingdom, is made subject to the Civil Power.

The Prisoner, in Terms very unbecoming, has
struck at this Essential Part of our Constitution, in
those Words, wherein, after having perswaded the
superior Pastors of the Church to Thunder out their
anathemas against Protestant Dissenters, *He desires
my Earthly Power to reverse such Sentences.* My Lords,
The restoring the Legal Supremacy of the Crown,
was the Effect of the Reformation of Religion in
this Kingdom; and the Abuse of that Power, to the
apparent Danger and Destruction of the Church of
England, in the Instance of the late illegal Ecclesi-
astical Commission, remains condemn'd by the Bill
of Rights.

But the Commons crave leave to observe, that
the Independant Power, or Jurisdiction of the Church,
or of Ecclesiastical Judges, which is the Doctrine ad-
vanced by the Prisoner, is not less dangerous; It
stands in utter Defiance and Contradiction of Ma-
gna Charta, and the Laws of the Land; 'tis destru-
ctive of the Legal Supremacy of the Crown and
Legislature, a Violation of the Oath of Supremacy,
contrary to the Principles of the Reformation, and
the

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the Doctrine and Interest of the Church of England of which he is a Member.

The Commons are strengthened in their Concern for the Legal Supremacy, when they call to mind Her Majesty's Letter to his Grace of *Canterbury*, of the twenty fifth of *February* 1705, for *Proroguing* the Convocation, wherein Her Majesty is pleased to declare Her constant Care and Endeavours to preserve the Constitution of the Church of *England* as by Law Establish'd, and Her Resolution to preserve the Supremacy, as being a Fundamental Part of it. And upon these Considerations they have an absolute Assurance of an equal Regard on your Lordships part, to a Matter of so great Importance.

Your Lordships will observe the third Article to be included within the general Charge of the fourth. But, the Commons being sensible, with how distinguish'd a Malice the Substance of this Charge is level'd, by the Prisoner, against the Honour of Her Majesty and the two Houses of Parliament, they thought it their Duty to Her Majesty to lay this before your Lordships in a distinct Article, for your particular Consideration and Judgment. When your Lordships reflect on the late heavy Censure, which the Queen and both Houses so justly laid on the Authors of the like groundless Slander, you will think that the Prisoner has reviv'd and avow'd the same, from an inveterate Pride to signalize his Enmity to Her Majesty and both Houses, and in the most publick Manner to insult the Honour of the Queen and Legislature, at the same Time that he was endeavouring to subvert their Foundations.

The Commons will ever shew the utmost Jealousy for the Safety and Honour of Her Majesty's Person, and must always esteem it their peculiar Concern to vindicate every Attempt that shall be made against it; and assure your Lordships, they can't be forgetful of that signal Regard Her Sacred Majesty shewed to the Church of *England*, at the Time of the late Revolution. Of that constant Uniform Zeal She has express'd for it from that Day to this, That perpetual Monument of Her Royal Bounty to the Clergy of the Church of *England*, to the Diminution of Her


own Revenue, nor of her Royal Care for the per-
 etual Establishment of its Discipline and Worship,
 in making it a Fundamental and Essential Part of
 the Union of the two Kingdoms: These things they
 esteem an absolute Security, that Her Royal Protecti-
 on and Affection for the Church of *England* can never
 fail. The Commons doubt not of your Lordships
 particular Notice of the Parallel mentioned in this
 Article, by which your Lordships will collect the
 inveteracy of the Design from the Odiousness of the
 Comparison.

In their fourth Article the Commons have laid
 before your Lordships many Charges, which tho'
 of different Considerations, yet all conduce to the
 main Charge of the Commons; as tending to un-
 dermine Her Majesty's Government, and to raise
 sedition and Rebellion.

Your Lordships will find, from many and pre-
 mant Proofs supporting this Article, That Her Ma-
 jesty's Administration, whereby She has justly gain'd
 the Affections of all Her true Subjects, is represent-
 ed by the Prisoner as deserving the utmost Odium
 and Contempt of Her People; That the Civil and
 Religious Rights of Her Subjects, which Her
 Majesty has protected with the Tenderness of a
 most indulgent Mother, are betray'd by those to
 whom she has committed the Care of them, and
 that they are now in a Condition more calamitous,
 than at that Time, when Superstition and Tyranny
 were ready to have swallowed them up.

Your Lordships will find him labouring to per-
 wade the People, that the Condition of Peace and
 prosperity, which the good Government of Her
 Majesty has secured to Her Kingdom, is a State of
 utter Distraction and Confusion, wherein all Irreli-
 gion and Disorder is not only unpunish'd but en-
 courag'd: Nor will your Lordships wonder to find
 a Person, who has thus set himself to weaken the
 Title of Her Majesty to the Throne, representing
 her Administration like that of one who has no Ti-
 me at all:

And from this ruinous and almost irretrievable
 posture of Affairs, your Lordships will find him con-
 sidering

February.  sidering himself a peculiar Messenger, appointed and called out to open the Eyes of the deluded People, and to undeceive a Nation thus abused: And this, my Lords, he has done, not in the Words of Meekness and Peace, nor by exhorting them to the Exercise of the submissive Doctrines of Passive Obedience and Non-Resistance, but he assures them that he does not come to preach Peace, but to sound a Trumpet; he endeavours to excite such true Sons of the Church as are of his Persuasion, to recover, defend, and maintain, with their Lives and Fortunes, their invaded Rights, and such Doctrines as he has thought fit to deliver to them.

My Lords, I take Liberty to acquaint your Lordships, that the Commons conceive, that the Law and Statutes of the Realm, and the Order and Peace of Government, necessarily enjoin it as a Duty upon all private Subjects, to represent their Sense of the Nation's Grievances in a Course of Law and Justice and no otherwise; and whenever the Oppression become National and Publick, They claim it as the peculiar Right of their own Body, to pursue the ev' Instruments of them, 'till Publick Vengeance be done; and at the same Time, the Commons assure your Lordships, that they will account it their indispensable Duty to Her Majesty and their Country to assert the Justice and Wisdom of Her Administration, against the Enemies of both.

I have thus stated to your Lordships the Nature of this Cause, wherein I perswade my self, you perceive many Points of the highest Moment to the Peace and Welfare of the Kingdom.

The Tendency of the Crimes of which the Prisoner stands Accused, lies Open and Apparent; but I yet beg your Patience, to draw the Scene a little closer.

Your Lordships will consider the Necessary Consequence of a Position, meant and expounded so to perswade the World, that the Glorious Work of the Revolution was the Fruit of Rebellion, and the Work of Traitors: Does it not declare the late Reign to be one continued Usurpation? And under what better Circumstances does it bring the present?

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Is the Act of Toleration condemned with any
Tendency than to weaken so great a Support
the Revolution it self? And I entreat your Lord-
ships to consider the certain Fatal Effects of an U-
niversal Dissatisfaction of the People, in things that
concern them nearest, the Safety of the Church of
England, and the Protestant Interest, and the Secu-
rity of themselves and their Posterity.

It's true, My Lords, That, considered at a di-
stance, there seems a Repugnancy in this Gentle-
man's System. How comes it to pass that Absolute
Non-Resistance and the Spirit of Rebellion stand so
well together, and are made so suitable in the same
discourse? But if your Lordships could discern in
any Part of his Sermon any dark Hint or disguised
opinions, of a *Sole Hereditary Right to the Succession*
the Crown, that will shew your Lordships the
Inconsistency of the whole; your Lordships will
find that in his Opinion the Duty of Absolute Non-
Resistance is owing to him only that has the Divine
Commission to govern; and from thence your Lord-
ships can't fail of knowing against what Queen,
what Government, what Establishment he encour-
ages the taking up the Arms of Resistance.

I have thus endeavoured to discharge the Trust
reposed in me by the Commons, and am not unsen-
sible how far short I have fallen; but, my Lords, I
assure my self that the Cause can't suffer by it, its
own Strength and Vigour will support it at this
time, and so long, I hope, as the Nation endures.
Your Lordships see plainly, that the Duty of the
Commons, which they will always discharge, call'd
on them very loudly to make Inquisition on so re-
markable an Offender as the Prisoner at the Bar.
Your Lordships see they had not acquitted them-
selves aright if they had entrusted the Prosecution
of this great Cause in any other Hands but their
own, or suffered these Points to have been handled
in any Place but in full Parliament; or before any
other Judicature, but that of your Lordships: And
with the greatest Chearfulness and Security, that
I can submit the Cause of the Queen, of the whole
Protestant Religion, and Protestant
Succession, to the Weight and Wisdom of your
Lordships Judgment.

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Mr.

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Mr. *Lesbmers* having ended his Speech, Mr. Attorney-General acquainted their Lordships that there were two Sermons delivered into the House of Commons, which he desired might be now delivered in, and read to their Lordships. That they must desire Mr. *Fodrell* to give an Account where he had those Books in his Hands, which he having done accordingly, Sir *Simon Harcourt* said, My Lords, the Doctor did own the Sermon, and the Dedication of both the Sermons, before the House of Commons, and he will not give your Lordships the Trouble of hearing any Proof of them. He doth own them. Upon which Mr. Attorney desiring they might be read, the Clerk read the Dedication of the *Derby* Sermon; and the Dedication and Sermon at *St. Paul's*; after which the Lords adjourned to their own House, and adjourned the Trial to the next Morning, of which they sent Notice to the Commons.

The Trial
continued.
28.

Sir Joseph
Jekyl's
Speech to
the first
Article.

Accordingly on the last Day of this Month the Lords being late at the usual Hour, the Commons having taken their Seats, and the Queen being come *Incognito*, to a Box prepared for her Majesty near the Throne, Sir *Joseph Jekyl*, one of the Managers for the Commons, made a Speech to make good the first Article of Impeachment, and after a short Preamble, about that Part which was assigned to him and some other Gentlemen, he told them the Method he should take would be, first, to show the Importance of that Article; secondly, to clear up and vindicate the Justice of the Revolution; and thirdly, to state the Evidence or Proof of that Article, which charged the Doctor with traducing and condemning the Revolution. He must presume that the Commons could not but think it hard, that in that Assembly of the *British* Nation, they should now after more than twenty Years Enjoyment of the Benefits arising by the Revolution, be forced to plead in Vindication of the Justice of it. But since they must give up their Right to the Laws and Liberties of the Kingdom, or, which was all one, be precarious in the Enjoyment of them, and hold them only during Pleasure, if this Doctrine of unlimited Non-Resistance prevail'd, the Commons had been content to under-

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undertake this Prosecution; and they who shared in the Legislature with their Lordships, had put themselves into the Condition of Suitors for Justice against this Offender, in whom their Lordships would find the Reverse of a true *British* Subject: For such an one is dutiful and submissive to his Prince, and true to the Liberty of his Country; but in this Criminal their Lordships would find virulent Faction and slavish Submission. That to the Importance of that Article, their Lordships were rightly told Yesterday, that the whole Charge center'd in that Article. If the Justice of the Revolution be establish'd, the Toleration will be rejoiced in by some, and be acquiesc'd in by all; the Resolutions of the two Houses of Parliament will have a just Regard shown to them; her Majesty's Administration will be no longer defamed, nor will the unhappy Distinction of Parties be capable of being heightened amongst us. But, said he, if the Justice of the Revolution, which is our Foundation, be questioned, every thing that is built upon it is in some degree shaken, and Occasion is given for Disputes and Factions, never to be ended but by a total Subversion of our Constitution.

That as it was self-evident that the Honour of her Majesty's Government stood upon the Justice of the Revolution, so did the Peace and Tranquillity of it depend upon that also. The Commons might appeal to their Lordships, and the whole Nation in this Matter: From what Quarter was it that all that Opposition and Obstruction to the Administration of the late King, and her present Majesty came? Had it not been from those who question'd the Lawfulness of the Resistance made use of in the Revolution? whose Pursuit after Power was indefatigable, and to obtain which they would make a willing Sacrifice of the Common Liberty, whilst others, who had a contrary Principle, and were convinced of the Justice of that Proceeding had acted a quite contrary Part. Had they not contributed every thing in their Power to strengthen the Government in her present Majesty's Hands, as well as the late King's, and that with a Zeal and Constancy through several Changes, which nothing

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but a Principle could inspire? How much was owing to this Zeal in promoting the Settlement of the Protestant Succession, and how little to the contrary Principle, every one that remembered the State of things at the end of the late King's Reign could tell. Upon the present Question therefore depended our present Happiness, and future Hopes. Had not this Principle of unlimited Non-Resistance been revived by the professed and undisguised Friends of the Pretender? Had it not been prosecuted with an unusual Warmth since his Attempt upon her Majesty's Crown? Could the Pretender have any Hopes but from the keeping alive such Notions? Or could the Queen's Title receive any Advantage from them? Or could it be seasonable to preach that Doctrine in the Reign of the best of Princes, which could be of no use to any but the worst?

That in clearing up and vindicating the Justice of the Revolution, which was the second thing proposed, it was far from the Intent of the Commons to state the Limits and Bounds of the Subjects Submission to the Sovereign. That which the Law had been wisely silent in, the Commons desired to be silent in too; nor would they put any Case of a justifiable Resistance, but that of the Revolution only, and they persuaded themselves that the doing Right to that Resistance would be so far from promoting the Popular Licence or Confusion, that it would have a contrary effect, and be a means of settling Mens Minds in the Love of, and Veneration for the Laws, to rescue and secure which was the only Aim and Intention of those concerned in that Resistance.

That to make out the Justice of the Revolution, it might be laid down, that as the Law was the only Measure of the Prince's Authority, and the People's Subjection, so the Law derived its Being and Efficacy from common Consent. And to place it on any other Foundation than common Consent, was to take away the Obligation that Notion of common Consent put both Prince and People under to observe the Laws: And that upon this solid and rational Foundation the Lawyers in all Ages had placed that Obligation, as appeared by all their Law-Books

Books. But instead of this, of later Times, Patri-archal and other Fantastical Schemes had been framed, to rest the Authority of the Scripture upon, and so Questions of Divinity had been blended with Questions of Law; when it was plain, that Religion had nothing to do to extend the Authority of the Prince, or the Submission of the Subject, but only to secure the Legal Authority of the one, and enforce the due Submission of the other, from the Consideration of higher Rewards and heavier Punishments: And that if this Distinction were attended to, it might serve to bury the useless Labours, to say no worse of them, of several Divines, and others, on these Subjects, in utter Oblivion.

Nothing was plainer than that the People had a Right to the Laws and the Constitution. This Right the Nation had asserted and recovered out of the Hands of those who had dispossessed them of it at several Times. There were of this two famous Instances in the Knowledge of the present Age, viz. that of the Restoration, and that of the Revolution; in both these great Events were the Regal Power, and the Rights of the People recovered: And it was hard to say in which the People had the greatest Interest; for the Commons were sensible that there was not one Legal Power belonging to the Crown, but they had an Interest in it; and he doubted not but they would always be as careful to support the Rights of the Crown as their own Privileges.

That the Constitution was wholly lost before, and recovered by the Restoration, was known to all; and before the Revolution, it was known how Popery and absolute Power had invaded the Constitution. The Regal Supremacy, of such Absolute Necessity to preserve the Peace of the Kingdom, was disclaimed, and the Papal Supremacy, by a solemn Ambassy to Rome, owned and acknowledged, and no Footsteps left of the Regal Supremacy, but that which was worse than nought, an Illegal High-Commission Court: And at that time the Popular Rights, in almost all the Species of them were invaded. That great Privilege of the People, on which all others depended, that of giving their Consent to the making new, or repealing old Laws was

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invaded; and a dispensing Power, such as rendered all our Laws precarious, and at the Will of the Prince, was exercised. These and a great many other Acts of absolute Power, were mentioned in that Act of Parliament, called, *The Bill of Rights*. That the whole Tenor of the Administration then in being, was agreed by all to be a total Departure from the Constitution, the Nation was at that time united in that Opinion, all but the criminal part of it. And as the Nation joyned in the Judgment of their Disease, so they did in the Remedy. They saw there was no Remedy left but the last; and when that Remedy took Place, the whole Frame of the Government was restored entire and unhurt. That this shewed the excellent Temper the Nation was in at that Time, that after such Provocations from an Abuse of the Regal Power, and such a Convulsion, no one Part of the Constitution was alter'd or suffered the least Damage, but on the contrary the whole received new Life and Vigour.

As that Doctrine of unlimited Non-Resistance was implicitly renounced by the whole Nation in the Revolution, so divers Acts of Parliament afterwards pass'd expressing that Renunciation. Here he read a few Passages out of the Laws that were then made: In the first of King *William* and Queen *Mary*, was the Act for *abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*. By that Act the Declaration enjoyned to be taken by several Acts in the Time of King *Charles II.* to this Purpose, *That it is not lawful, on any Pretence whatsoever, to take up Arms against the King*, was taken away. Then in the second Session of that Parliament was the Act for *declaring the Rights and Liberties of the Subject*: In that Act notice was taken, that *the late King James did endeavour to subvert and extirpate the Protestant Religion, and the Laws and Liberties of the Kingdom*, and the particular Instances of Mal-Administration were set forth; then it declared, that *that unhappy Prince had abdicated the Government, and the Throne was thereby vacant*; and that *it had pleased Almighty God to make the Prince of Orange the glorious Instrument of delivering the Kingdom from Popery and Arbitrary Power*. And that if the Instrument, who brought

brought about that Deliverance, be filed Glorious, surely the Means used by him are in Consequence approved and applauded; and that his late Majesty was mentioned as the same glorious Instrument in the Act for paying the States-General the Charges of his Expedition: And surely this was an Approbation of the Means used by him, when that Act charged the People with six hundred Thousand Pounds for those Means, viz. the Force he brought along with him. But that if it should be thought these Words were too general, and did not particularly approve the Resistance at the Revolution, there came a Memorable Occasion when the Parliament had that Particular under their Consideration; and that was when they were considering whether they should meddle with so tender a thing as the taking away the Benefit of the Law from a great many of the Subjects of the Kingdom, which was done by an Act in the same second Session of that Parliament, Entitled, *An Act for preventing vexatious Suits against such as acted in order to the bringing in their Majesties, or for their Services.* There they took notice, that at the time of his Majesty's glorious Enterprize for delivering this Kingdom from Popery and Arbitrary Power, and in Aid and Pursuance of the same; divers Lords, Gentlemen, and other good People well affected to their Country, did act as Lieutenants, Deputy-Lieutenants, Justices of the Peace, or other Officers, Civil or Military, tho' not sufficiently Authorized thereunto, and did apprehend and put in Custody several criminous and suspected Persons, and did seize and use divers Horses, Arms, and other Things, and did enter into the Houses and Possessions of several Persons, and did Quarter and cause to be Quartered Soldiers and others there, which Proceedings in Time of Peace and common Safety would not have been warrantable; yet that Act declared they were necessary in regard of the Exigence of Publick Affairs, and ought to be justified, and provided an Indemnity for those who acted in that Resistance from the Actions that might be brought by their Fellow Subjects.

He concluded that Head with taking notice of the Form of Prayer appointed by Royal Authority

February. for the Fifth of November, now doubly memorable: That there is in that Form not only Thanks offer'd to Almighty God for the Revolution, but for the Success given to those Means that were used to bring about that wonderful Deliverance; what else was the Meaning of thanking God for giving his late Majesty a safe Arrival here, and making all Opposition fall before him till he became our King and Governor?

But that notwithstanding the Justice of those Steps that were taken to bring about the Revolution, notwithstanding the Temper and Prudence that was shewn in the Settlement of it, and the Sanction since given to it, not only by the Royal but the whole Legislative Authority, Dr. Sacheverell had condemned the Resistance, (which was the Principal if not the only Means) by which that Deliverance was wrought, which was the last thing he proposed to shew to their Lordships.

He shewed them that that Article was divided into three Branches; first the general Charge, that he Suggested and Maintained that the Necessary Means used to bring about the Revolution were Odious and Unjustifiable: That the second and third Branches were Particulars of that General, (*viz.*) that his late Majesty disclaimed the least Imputation of Resistance, and that to impute Resistance to the Revolution was to cast Black and Odious Colours upon his late Majesty and the said Revolution.

That to maintain this Article, he should only offer to their Lordships what he apprehended to be the clear Sense and Meaning of those Passages in the Sermon which maintain it. That in the 11th Page of the Quarto Edition he laid down a general Position of the utter Illegality of Resistance upon any Pretence whatsoever; he said there were some who denied that Position, who were new Preachers and new Politicians, who teach'd divers Antimonarchical and pernicious Doctrines; he went on, and said, they do not only deny his Position, but urge the Revolution in Defence of their Denial, that is, by producing that as an Instance of a justifiable Resistance; then he exclaimed against these Men as
endeavour,

endeavouring to cast Black and Odious Colours on the late King and the Revolution, whereas he said the King disclaimed the least Imputation of Resistance by his Declaration, and the Parliament disowned it, because they declared they only fill'd a vacant Throne, without taking notice how it became so, and they burnt a Book which alledged Conquest, because it had that Ingredient of Resistance in it.

That this Extract out of the Sermon made out the first Article, which was his condemning the Resistance, which the Commons call'd the Necessary Means used to bring about the Revolution. For first, that general Position of his condemned Resistance in any case whatsoever. Secondly, he introduced some as denying this Position, and fasten'd a vile and odious Character upon them. Thirdly, he made those that denied this Doctrine object to it an Authority or President of a lawful Resistance, viz. that at the Revolution; but, that he did this only to give up the Lawfulness of that Resistance, and condemn that as well as any other: For, fourthly, he answered that Objection, by denying there was any Resistance in that Case, a Fact as clear as the Sun at Noon-Day, and which all the Nation saw and rejoiced at. That he brought the late King and the Parliament to witness against any Resistance in the Revolution; and yet he had shewn, by two Quotations in the Prince of Orange's Declaration, one in his Answer, and the other in the Printed Sermon, that his late Majesty was so far from disclaiming Resistance, that he avow'd it, and invited the Subjects of this Kingdom to joyn in that Resistance; for in his Answer he cited that Passage in his Declaration, wherein his Majesty took Notice that he carried a Force with him, sufficient, by the Blessing of God, to defend him from the Violence of Evil Counsellors. and that he designed that Expedition to oblige King James to call a free Parliament; and that by his Quotation of another Passage in the Prince of Orange's Declaration it appear'd his late Majesty was, by divers Subjects of King James's, invited to, and assisted in that Expedition, which being an Expedition by Force, to oblige that King

February. King to call a free Parliament, did it not carry in it a plain and manifest avowing of Resistance?

That as to what the Prisoner said in relation to the Parliament's disowning any Resistance at the Revolution, by asserting, that they set the Crown on the King's Head on no other Title than that of the Vacancy of the Throne, that appeared to be directly otherwise from the several Passages in divers Acts of Parliament which he had before mention'd; to which he only added that in the Conference between the two Houses, previous to the setting the Crown on the King's Head, the Word *abdicated* was insisted upon and carried, for that it included in it the Male-Administration of King *James*, which the Word *Deserted* (desired to be used instead of it) did not; and that this appeared by the Journal. That he therefore knowing that there was Resistance at the Revolution, and that the late King and the Parliament avowed that Resistance, and he pretending to defend it only by denying those Facts, had by a necessary Implication asserted, That that Resistance was not an Exception to his general Rule, but stood condemned by it.

He told their Lordships he should not enter upon the Consideration of the Doctor's Answer to that Article, because he did not know whether his Council would think fit to abide by it, nor would he meddle with any thing that was proper for the Reply. That the Sum of the whole Proof was this, The Doctor laid down a Doctrine condemning Resistance in all Cases whatsoever; he made those who denied this Doctrine Asserters of Antimonarchical Principles; that he took Notice of the Revolution only to give it up; that he admitted that if there were Resistance in that case, that it was as unlawful as any other Resistance; that he asserted that to be true, which every one knew to be false; that he said the late King disclaimed the least Imputation of Resistance, the Parliament disown'd it, and they who said there was any Resistance in it, cast Black and Odious Colours on the late King and the Revolution, and consequently he condemned the Resistance

Resistance used to bring about the Revolution, February, which was the Matter of the first Article.

Sir Joseph Jekyl having thus concluded, Mr. Robert Eyre, Solicitor General, spoke next, to the first Article, and said, That the Charge was, That the Gentleman at the Bar did suggest and Maintain, That the necessary Means us'd to bring about the late happy Revolution were Odious and Unjustifiable; That his late Majesty in his Declaration disclaim'd the least Imputation of Resistance; and, That to impute Resistance to the Revolution, was to cast Black and Odious Colours upon his late Majesty and the said Revolution. That the Passages upon which the first Article was founded, were in the eleventh and twelfth Pages of the Sermon, where Doctor Sacheverell having first asserted, ' That the grand Security of our Government, and the very Pillar upon which it stands, is founded upon the Steady Belief of the Subjects Obligation to an Absolute and Unconditional Obedience to the Supreme Power in all things Lawful, and the utter Illegality of Resistance upon any Pretence whatsoever, which, He says has been lately exploded and ridiculed, goes on in these Words:

' Our Adversaries think they effectually stop our Mouths, and have us sure and unanswerable on this Point, when they urge the Revolution of this Day in their Defence; but certainly they are the greatest Enemies of that, and his late Majesty, and the most ungrateful for the Deliverance, who endeavour to cast such Black and Odious Colours upon both: How often must they be told, that the King himself solemnly disclaim'd the least Imputation of Resistance, in his Declaration; and that the Parliament declar'd, that they sat the Crown on his Head upon no other Title but that of the Vacancy of the Throne? and did they not unanimously condemn to the Flames that infamous Libel that would have pleaded the Title of Conquest, by which Resistance was supposed?

That the Commons apprehended these Words to be a full Proof of the Assertions charg'd in the first Article, for Resistance was the necessary Means used

to

February, to bring about the Revolution. And the Doctor expressly affirm'd in that place, that the King disclaim'd the least Imputation of Resistance; he asserted it as a thing notorious, which no body could be a Stranger to; he said the King disclaim'd it solemnly, he disclaim'd it in his Declaration. That he as plainly affirm'd. That to impute Resistance to the Revolution, was to cast Black and Odious Colours upon his late Majesty and the Revolution; for he first laid down the utter Illegality of Resistance upon any Pretence whatsoever, as a Fundamental Doctrine; and then acquainted his Auditory, that his Adversaries thought they could effectually stop his Mouth, and had him sure and unanswerable *On this Point*, when they urg'd the Revolution in their Defence; but that they were the greatest Enemies to the King and to the Revolution, who endeavour'd to cast such *Black and Odious Colours upon Both*.

That *this Point* which he said his Adversaries thought they had him sure and unanswerable upon, was plainly the Point of Resistance, which he had asserted to be Illegal upon any Pretence whatsoever; and others, he said, had denied, and had urg'd the Revolution in their Defence. And that the urging of the Revolution in that case, as an Instance of the Legality of Resistance, in opposition to his general Doctrine, was what he call'd casting Black and Odious Colours upon the King and the Revolution, for his Argument ran thus; All Resistance is utterly Illegal, the King disclaim'd the least Imputation of Resistance, the Parliament set the Crown upon his Head upon no other Title than that of the Vacancy of the Throne, and burnt a Book because it asserted a Title by which Resistance was supposed; and therefore to impute Resistance to the Revolution, is to cast *Black and Odious Colours* upon his late Majesty and the Revolution.

That this was the Force of his Reasoning, and the plain and obvious Sense of this Part of the Paragraph, and therefore fully made out the Charge of his asserting and maintaining, That to impute Resistance to the Revolution, was to cast Black and Odious

Mr. Solicitor came next to consider the Answer he made to this Article, which he divided into three Parts.

And first he denied that he doth Suggest and Maintain, That the necessary Means us'd to bring about the happy Revolution were Odious and Unjustifiable; and said, That he did not affirm in any Part of that Sermon any Thing concerning the necessary Means us'd to bring about the happy Revolution; the said *Henry Sacheverell* was so far from reflecting on his late Majesty, or the happy Revolution, that he endeavour'd in that Sermon to clear the Revolution and his late Majesty from the Black and Odious Colours which their greatest Enemies cast upon both. That now the material Part of the Answer to this Branch of the Article was, That he denied his maintaining that the necessary Means us'd to bring about the Revolution were Odious and Unjustifiable, and his affirming any thing concerning those necessary Means. But that this was no more than saying that he had affirmed nothing by the Words *Necessary Means*: And that it was very true that the Words *Necessary Means* were not used in any Part of the Sermon.

He proceeded and said, no Body would say that 'twas requisite to charge the Assertion in the very Words: And that therefore if Resistance was necessary, and the Means used, in that extraordinary Case of the Revolution, he had asserted the Means to be Odious and Unjustifiable, tho' he had done it in other Terms, and by Words more particular and express.

And that as to that Part of the Article whereby he was charged with Suggesting and Maintaining, That his late Majesty in his Declaration disclaimed the least Imputation of Resistance: He acknowledged himself to have made this Suggestion; but said, That he made it not in Dishonour, but in Vindication of his Majesty; the Resistance he represented the King to have Disclaimed, being such a Resistance as tended to the Conquest of this

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this Realm; for which he refers to that Part of the Declaration which is printed at the Bottom of the Eleventh Page in the Sermon; and upon this Ground he observed, That there were these other Passages in the Declaration— We have thought fit to go over to *England*; and to carry over with us a Force sufficient, by the Blessing of God to defend our selves from the Violence of evil Counsellors.— We think fit to declare, That this our Expedition is intended for no other Design than to have a free and lawful Parliament assembled. Mr. Solicitor adds, That in this Part of his Answer the Doctor admitted, that he made the Suggestion charged upon him, in the same Words that were used in the Article; but defended himself by alledging, That the Commons had mistaken his Meaning— He meant only, that the King Disclaim'd a Resistance which tended to Conquest: But that it was clear and plain, that the Words had no such limited or restrain'd Sense, and that the Meaning he would now put upon them, was a meer Shift and Evasion; for the Proposition was General, The King Disclaim'd the least Imputation of Resistance; And the Use he made of it shew'd, that his Meaning was as General as his Words; for he was replying upon those who urg'd the Revolution in Answer to his general Position, That Resistance was utterly illegal upon any Pretence whatsoever; and how did he answer the Case of the Revolution, or was it possible to be answer'd, but by saying, That there was no Resistance at all in the Revolution; the King, who was principally concerned in it, disclaim'd the least Imputation of Resistance?

That the Question was stated upon Resistance in general; Whether Resistance in any Case, or upon any Occasion, was lawful. And therefore, if the Lawfulness of Resistance in any Case be allow'd, 'twas impossible that his general Assertion should stand, and 'twas equally impossible to get clear of the Objection, without denying the Resistance. That the Doctor was aware of this, and therefore denied that there was any Resistance at all in the Revolution, and said, That the least Imputation of it was solemnly disclaim'd and disavow'd.

For had he said, in express Terms, that the King disclaim'd all Imputation of Resistance that tended to Conquest, this would have been no Answer to the Objection: For if there was any Resistance, tho' not the particular Resistance which the King disclaim'd; and if that Resistance which was us'd should be agreed to be lawful, his fundamental Doctrine must certainly be shaken: And therefore if their Lordships supposed him to make any use at all of that Assertion, his Words plainly spoke his Meaning, and represented the King to have disclaim'd all Resistance whatsoever.

But that he excused the making of this Suggestion, by declaring, 'That he made it not in Dishonour, but in Vindication of his Majesty; and therefore whether he was mistaken or not in expressing himself, as if the late King had disclaim'd all Imputation of Resistance, when he meant thereby, that the late King disclaim'd the Imputation of a Design of Conquest, he humbly conceiv'd such a Suggestion, plainly design'd for the Honour of the late King, could not in any reasonable Construction be thought a Reflection upon his said late Majesty, or seem'd any High Crime or Misdemeanor.

Had these Words been (proceeds the Manager) in Vindication of his late Majesty, our great and glorious Deliverer, the Commons, who have so much at Heart the Honour of the late King, and the Justice of the Revolution, had never charg'd them upon that Gentleman as a Crime, but that they carry'd with them the highest Reflection upon the Honour and Justice of his Majesty; for they supposed that he denied the Lawfulness of Resistance when he was actually engaged in it, and disclaim'd the least Imputation of Resistance when he brought over an Army on purpose to maintain that Resistance, to which all the People of *England* were invited and encourag'd by his Declaration. And that this Assertion of the King's disclaiming all Resistance, could never be meant in Vindication of his Majesty from any Imputation of a Design of Conquest; for there was no Occasion for vindicating the King upon this Point, the Subject Matter of the Dis-

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Discourse did not lead him to it; for the Business of the Sermon, or of this particular Paragraph, was not to vindicate the Honour of the King from any such Asperſion, or to maintain the Liberties of England, by aſſerting, that the Conſtitution of Government ſtill remain'd, and was not broken and diſſolved by Conqueſt at the Revolution: Had that been his Ground, his Miſtake had been more excuſable; for then it had been proper to have urg'd, that there was no Step taken towards the Revolution, which look'd like a Deſign of Conqueſt; and that the Armed Force which was us'd in it, and had the Appearance of ſuch a Deſign, was not intended to conquer; for the King who commanded it, diſclaim'd all Imputation of Reſiſtance that tended to Conqueſt. That upon ſuch a Queſtion theſe Things had been very properly urg'd, and there might have been ſome Indulgence to a general Expreſſion, that in any Propriety of Speech could have received ſuch a Meaning.

But that when the Queſtion was not, Whether the Revolution was brought about by Conqueſt, or what would be the Conſequence of ſuch an Aſſertion, either in regard to the Honour of the King, or the Condition of the People, there could be no Colour for ſaying that he meant by this general Expreſſion, which carries no ſuch Meaning in it ſelf, that the King diſclaim'd Conqueſt, or a Reſiſtance which tended to Conqueſt only.

Eſpecially, when the Subject Matter of his Diſcourſe naturally led him to aſſert this Propoſition in the common and ordinary Senſe, which the Words imported. For he was aſſerting the Doctrine of abſolute Non-Reſiſtance, and ſhewing, that the Lawfulneſs of the Revolution was no Argument againſt it; and why? Becauſe the King diſclaim'd the leaſt Imputation of Reſiſtance, there was no ſuch wicked Ingredient as Reſiſtance in it; no other Answer would have ſerv'd him, and therefore it can never be ſuppoſed that he meant to clear the King from any Deſign of Conqueſt, or intended to ſay any Thing in Vindication of his Majeſty upon that Head.

That

That in reality it was an apparent scandal upon the Majesty of the late King, to say there was any Occasion to clear him from this Imputation; his Actions spoke the Justice and Sincerity of his Intentions; his Business was not to conquer and enslave us, but to deliver us from Popery and Slavery, the most dreadful Calamities that could befall us, and to re-settle and establish our Constitution both in Church and State. That this was the Ground of the Glorious Enterprize he undertook, and the general Aim and Design of all his Labour through the whole Course of his Reign. That it was therefore plain, that what Doctor *Sacheverell* said in his Answer, in Excuse of his Assertion, relating to the King's disclaiming all Imputation of Resistance, was rather made to the Dishonour, than in Vindication of his Majesty; for there was no Colour to suggest that He needed any such Vindication or Defence. And that the King did not disclaim an Imputation of Resistance was evident, even from that Part of his Declaration which was cited in the Answer, whereby He declared to the People (to encourage them to join with him) that he had brought over a sufficient Force to defend himself from the Violence of evil Counsellors. — And that his Expedition was design'd to have a free and lawful Parliament assembled; which was a plain Force upon the Executive Power that was directed by those evil Counsellors, who by subverting the Liberties of Corporations, and practising upon the Freedom of Elections, never intended that any such free or lawful Parliament should be assembled. That this was plain Resistance in the Sense that Doctor *Sacheverell* took the Word, and was so far from a Justification, that there was no Colour to say, that his Majesty disclaim'd the least Imputation of Resistance.

As to the last Branch of the Article, whereby he was charged that he suggested and maintained, That to impute Resistance to the Revolution, was to cast Black and Odious Colours upon his late Majesty and the said Revolution, he denied that he suggested or maintained any such Position. But that this Negative was fully answered by what

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had been offered upon the first Head of that Article, his asserting that the necessary Means used to bring about the Revolution, were odious and unjustifiable; for if Resistance was utterly illegal; upon any Pretence whatsoever, and there was Resistance in the Revolution, it necessarily followed, that to impute Resistance to the Revolution, was to cast Black and Odious Colours upon it: And this was expressly asserted by his stating the Case of the Revolution, in which there was Resistance, as an Objection to his general Doctrine of Non Resistance, upon any Pretence whatsoever; and then answering that Objection, by saying, That the urging of the Revolution, as an Instance of the Legality of Resistance, was casting Black and Odious Colours upon his late Majesty and the late Revolution: For there could be no Black or Odious Colours cast by from the shaking that Fundamental Doctrine of absolute Non-Resistance, the Belief of which he asserted to be the Pillar upon which the Government of *England* stood; and that therefore the imputing of Resistance to the Revolution, must, according to the Principle he laid down, cast Black and Odious Colours upon the Revolution, and upon the great and glorious Instrument of it, his late Majesty, by whom it was happily brought about.

That Doctor *Sacheverell* himself, by the subsequent Part of his Answer, seemed to think that this Assertion was fairly and plainly infer'd from the Tenor of his Discourse, since he excused it by saying, 'That he intended to apply it not to such Persons who imputed Resistance to the Revolution, of whom he affirm'd nothing; but to those new Preachers and new Politicians, who taught in Contradiction both to the Gospel and the Laws, That the People had the Power invested in them, the Fountain and Original of it, to cancel their Allegiance at their Pleasure, and call their Sovereign to account for High Treason against his Subjects; and who urged the Revolution in Defence of such Principles; and that unless those who imputed Resistance to the Revolution, were the same with those new Preachers, and new Politicians, he affirm'd nothing concerning them.

That

That this Part of his Answer was far from *February*
sing or extenuating his Crime; for if a Proposition
be true, it will lose nothing of its Weight and Force,
though the vilest Man upon Earth should make use
of it; and it can be no Argument against a true
Principle, that it has been made use of to ill Pur-
poses, and to maintain Positions which are not war-
ranted by it: 'Tis rather an Aggravation of his
Crime, and a high Reflection upon the Commons,
and the Justice of this Proceeding, to suppose that
any such wicked Consequence as he mentions, can
possibly be inferr'd from defending the Resistance
at the Revolution: And the Question was, Whether
Doctor *Sacheverell* himself asserted, That to impute
Resistance to the Revolution, be to cast Black and
Odious Colours upon it, and not, OF WHOM
he affirm'd the casting such Black and Odious Co-
lours.

As to the Doctor's last Part of his Answer to that
Article, where he said, ' That upon the strictest
Search into his said Sermon preach'd at St Paul's,
' he did not find that he had given the least colour-
' able Pretence for the Accusation exhibited against
' him in this first Article, but barely by his assert-
' ing the utter Illegality of Resistance to the Su-
' preme Power upon any Pretence whatsoever; for
' which he conceiv'd he had the Authority of the
' Church of *England*, which had taught and incul-
' cated that Doctrine in her Homilies.--- And he
' did further insist, That that Assertion was agree-
' able to, and warranted by, the Common Law of
' *England*, and divers Acts of Parliament then re-
' maining in full Force. Mr. Solicitor said it must
be agreed, That there was no colourable Pretence
to charge him with Suggesting and Maintaining,
that the Resistance us'd at the Revolution was Odi-
ous and Unjustifiable, if the Doctrine of the utter
Illegality of Resistance upon any Pretence whatso-
ever was true: For upon that Principle his Censure
was just, and it must necessarily follow, that the
Resistance us'd in bringing about the Revolution
was not to be maintained.

And that therefore the Commons should think
themselves ungrateful for the Deliverance, if they did

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not vindicate the Honour of the late King, and of those illustrious Persons, who, upon his Invitation defended the Constitution at that Time by Resistance, and declare that this Resistance was Lawful, Honourable and Just.

That they had reason to hope, that after so many Years had pass'd in a happy Enjoyment of all the Advantages of a Free born People, and at a Time when the Subjects of this Kingdom were in full Possession of their Rights and Liberties under Her Majesty's Gracious Protection, and the wisest and happiest Administration that *England* ever saw, that no Body could have been so wicked as to cast an Odium upon the necessary Means whereby these Blessings were obtain'd, and were continued to us. But that since, notwithstanding our Blessed Deliverance from Popery and Arbitrary Power, and the Benefits we enjoy'd by restoring the Constitution both in Church and State, and above all, by Her Majesty's Happy Administration, which had improv'd the Lustre of the Crown to the Honour of the Nation, and the Common Benefit of every particular Subject, yet there were Men of restless and turbulent Spirits, Enemies to the Revolution, who were continually urging the Resistance then used, as a Fundamental Error, fatal to every thing that had been built upon it; that this struck so directly at the present Establishment, that the Commons thought it their indispensable Duty to demand their Lordships Judgment upon that important Subject: And that they thought it the more necessary at that Time, because 'twas plain and obvious to every ones Observation, that since the late Attempt made by the Pretender, that Principle of the utter Illegality of Resistance upon any Pretence whatsoever had been espous'd and maintain'd with more than ordinary Warmth and Zeal; and that the Commons apprehended it could have no other Aim or Tendency than to blacken the Revolution, and thereby to shake the Foundations of our present happy Settlement.

That the Commons must always resent, with the utmost Detestation and Abhorrence, every Position that might shake the Authority of that Act of Parliament

liament, whereby the Crown was settled upon Her Majesty, and whereby the Lords Spiritual and Temporal, and Commons, did in the Name of all the People of England, most humbly and faithfully submit themselves, their Heirs and Posterities, to Her Majesty, which this general Principle of Absolute Non-Resistance must certainly shake.

For if the Resistance at the Revolution was illegal, and the Revolution settled in Usurpation, this Act could have no greater Force and Authority than an Act pass'd under an Usurper.

And the Commons took leave to observe, that the Authority of that Parliamentary Settlement was a Matter of the greatest Consequence to maintain, in a Case where the Hereditary Right to the Crown was contested; for her Majesty's most bitter and implacable Enemies, the Friends of the Pretender, (who all asserted the utter Illegality of the Resistance us'd at the Revolution) could advance his Title to the Crown, and call him King, upon no other Ground than the Pretence of an Hereditary Right.

That the Commons therefore, out of the most profound Duty and Allegiance which they owed and should ever pay to Her Majesty, and to maintain the Security of Her Government, and guard Her Throne against every Insinuation that might promote or favour the Interest of the Pretender, thought themselves obliged to take Notice of that Assertion, as tending to weaken the Authority of that Act of Parliament, whereby Her Majesty's Title was declared.

That their Lordships would likewise consider of what Consequence the Dishonouring of the Revolution might be to Posterity, and the future Happiness of this Kingdom in a Protestant Succession to the Crown. For by the same Act, all Persons who should hold Communion with the See of Rome, or should marry Papists, were declared incapable to Inherit, Possess or Enjoy the Crown. And 'twas Enacted, That the Crown and Government should from Time to Time descend to, and be enjoy'd by, such Persons, being Protestants, that should have Inherited and Enjoyed the

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same, in case such Popish Prince were naturally Dead. And the immediate Protestant Succession in the Illustrious House of *Hanover*, in default of Issue of Her Majesty, was likewise settled by an Act of the same Reign.

That this shew'd of what Importance it was to the present and future Happiness of this Kingdom, to clear his late Majesty and the Revolution from those Black and Odious Colours which this Gentleman has cast upon both. But that he makes it part of his Defence, that his Assertion was agreeable to the Common Law of *England*, and divers Acts of Parliament now remaining in Force. He replied that the Gentleman that spoke before him had shewn how far that Assertion was a direct Contradiction to several Acts of Parliament, and therefore he should only say, that it could never be suppos'd that the Laws were made to set up a Despotick Power to destroy themselves, and to warrant the Subversion of a Constitution of Government, which they were design'd to Establish and Defend.

That this would be a strange, absurd and contradictory Imagination, and was thought so at the Revolution by the wisest Men of that Time, by the best Friends to the Monarchy, and Men the most Eminent for their Sufferings in the Cause of the Church. And that it appear'd by the several Instances mentioned in the Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown, that at the Time of the Revolution there was a total Subversion of the Constitution of Government both in Church and State, which was a Case that the Laws of *England* could never suppose, provide for, or have in view. And that the same Answer might with equal Reason be applied to the general Doctrine of the Church express'd in her Homilies.

Sir John
 Holland's
 Speech to
 the first
 Article.

The next of the Commons Managers that took the Word was Sir *John Holland*, who told their Lordships, That the present Consideration was of the greatest Importance; no less than whether so many of their Lordships and the Commons of *Great Britain*, who took up Arms at the Revolution, and
 were

were then thought Patriots of their Country, were really Rebels; whether their late Deliverer was an Usurper; and whether the Protestant Succession was Legal and Valid, That all these depended upon the Lawfulness of the Resistance at the Revolution. That there was a Resistance, was most plain, if taking up Arms in Yorkshire, Nottinghamshire, Cheshire, and almost all the Counties of England; if the Desertion of a Prince's own Troops to an Invading Prince, and turning their Arms against their Sovereign, was Resistance. But if Subjects be obliged to an absolute and Unconditional Obedience, the Convention of the States, the Settlement and Entry of the Crown by them, and the further Settlement in the Protestant Succession under that Settlement, must, from that Resistance, be unlawful and void. That the Criminal was aware of this just Objection: His general Doctrine, when applied to the Revolution; as appeared from his Endeavouring, upon second Thoughts, to conceal it by his Marginal Note, to hint, that by Resistance he meant Conquest. And that no wonder he endeavoured to colour to bold a Stroke, which he could not but expect to hear of, with the utmost Resentment from the Government. But that so it fell out, that what he trusted to for a Screen, aggravated the Heinousness of his Crime; for it shewed, that he instill'd into his Auditors those Notions from the Pulpit, which he durst not own in Print. That nothing could be more manifest, than that he could not by Resistance mean Conquest, even from his own Expression: For in the very next Period he says, and did they not, i. e. the Parliament, unanimously condemn to the Flames (as it justly deserved) that infamous Libel, that would have pleaded the Title of Conquest, by which Resistance was supposed? So that he knew 'em to be distinct Notions, and indeed so they must be, because one might be without the other.

That it was an unaccountable Presumption, that he could suppose so weak a Pretence could pass upon the World; but much more surprizing it was that he could apprehend so mean a Subterfuge could prevent your Lordships Justice. But from hence

February. the Commons observed, that he was a Conceited Man, and of a Dangerous Spirit: And as such they had brought hither to reform him, and to be an Example to others.

That the Commons would not be understood, as if they were pleading for a Licentious Resistance; as if Subjects were left to their good Will and Pleasure, when they were to Obe, and when to Resist. No, they knew they were obliged by all the Ties of Social Creatures, and Christians, for Wrath and Conscience sake to submit to their Sovereign. That the Commons did not abet Humourfom Rastinis Arms, They aver 'em to be rebellious. But yet they maintain'd, that that Resistance at the Revolution, which was so Necessary, was Lawful and Just from that Necessity.

That they did agree that the Laws concerning Obedience, both Human and Divine, were very Express and Positive; and its no wonder the *Honourable* and *Fathers* dead and living, follow'd the same way of expressing their Duty in General Terms. This they readily granted, but that it did not follow, that there could be no Exceptions from these General Rules in Conscience.

That there was no Law, more Positive and Express than that which enjoind the Observation of the Sabbath; for therein they were commanded to *do no Manner of Work*. But yet they knew that Necessity made an allow'd Exception to that General Law. And the reason why that Necessity was allow'd as a just Exception to that positive Law, would guide them to know, what Laws would admit of Exceptions from Necessity, and what Not. That the reason our Divine Law-giver assigns was, because *the Sabbath was made for Man, and not Man for the Sabbath*; from whence plainly followed that Corollary: That, where there was a Positive Law, and that Law respected not some principal End for which Man was made, there Necessity might make a justifiable Exception, how expreis soever that Law was.

That whether Government was made for Man, or Man for Government, would easily appear from this short Observation, That Man was made in a State

State of Perfection, and the reform of the same
supposed the necessity of all those Changes which
were the Objects of Government, and which Gov-
ernment was to reform. And therefore Govern-
ment could not be one End of Man's Creation, and
these general Rules of Obedience might, upon a re-
al Necessity, admit a Lawful Exception; and such
a Necessary Exception they asserted the Revolution
to be.

That it was with this View of Necessity, only
Absolute Necessity of preserving their Laws, Liber-
ties and Religion, &c. with This Limitation, that
they desir'd to be understood. When Any of them
spoke of Resistance in general. That the Necessity
of the Resistance at the Revolution was at that time
Obvious to every Man. Every one, who either
was not, or did not find his easy Mind, prepar'd to
be a Tool to Popery and Slavery, dreaded the In-
stances of that Necessity. That the Cancelling all
the Security from Laws by a Dispensing Power;
the Erecting Commissions to deprive Subjects of
their Property, not according to Law, but Hum-
our; the making the whole Government depend
upon the Arbitrary Pleasure of the then Prince,
could not but be a Justification of that Necessity be-
fore God and Man.

That thus it was thought at the Time that Res-
istance was on Foot. For then, when the Time
was most proper for Admonitions of this Nature,
the Clergy were so far from averring the Unlawful-
ness upon any Pretence whatsoever, that the true distin-
guishing Characteristick of a Church of England Man,
then was wishing that Resistance good Luck, and
rejoicing at its Success. And that yet the Gentle-
man at the Bar made this Exception the Instance of
an unjust Resistance, by an Ironical Assertion of the
late King's solemnly disclaiming the least Imputation of
Resistance in his Declaration; for Ironical it must be;
when every body must believe that he himself
Knew the contrary: A Figure of Speech very well
understood, and known to be the most biting Sar-
casm.

Sir John concluded with telling their Lordships,
that so much depended upon the Revolution, that
the

February. the Commons were highly Jealous of the Honour of it. That it was indeed Twenty Years since the Revolution was settled, but it was within much less than Twenty Years, that a Pretender had attempted to invade their Country, to set this Revolution aside. That that Person, even with his Own Good Opinion of his Right, knew he could have no Pretence to the Crown, unless the Pretender's Political Divinity were true, which they Aver it was Not. But that least this Pretender should apprehend that his Friends were much Increas'd, when he heard that the Revolution was publicly Branded in Sermons as *Black and Odious*, the Commons had impeached that Preacher, that he might not be Guilty of that High Crime and Misdemeanour *without Dis- couragement*, and had brought him to their Lordships Bar for Justice, that he might not do it *with Impunity*.

Mr. Wal-
pole's
Speech to
the same
Article.

It was Mr. *Walpole's* Turn next, who said, That by what had been already offer'd to their Lordships, he made no doubt but they were fully convinc'd, how injurious those Positions, in their first Charge against the Doctor, must be to the Peace and Quiet of the Kingdom, and how highly they deserv'd, and loudly call'd for their Lordships speedy and exem- plary Justice. That the great Licentiousness of the Press, in censuring and reflecting upon all Parts of the Government, had of late given too just Cause of Offence; but that when only Pamphlets and com- mon Libels were Matters of Complaint, when none but mercenary Scriblers, and the Hackney Pens of a discontented Party, were employ'd to vent their Ma- lice, it was fit to leave them to the common Course of the Law, and to the ordinary Proceedings of the Courts below. But, that when the Trumpet was sounded in *Sion*, when the Pulpit took up the Cudgels, when the Cause of the Enemies of the Government was call'd the Cause of God, and of the Church, when this bitter and poisonous Pill is gild- ed over with the specious Name of Loyalty, and the People Taught for their Souls and Consciences sake to swallow these pernicious Doctrines, when instead of sound Religion, Divinity and Morality,

Factionous

Factious and Seditionous Disputes were become the constant Ruminations of some Congregations: The Commons could not but think it high time to put a Stop to that growing Evil, and for the Authority of a Parliament to interpose and exert it self in Defence of the Revolution, the present Government, and the Protestant Succession. All which the Commons thought so materially concern'd in this Question, that if the Doctrines advanc'd by Doctor Sacheverell, were not Criminal in the highest degree, it would follow, that the necessary Means us'd to bring about the Revolution were Illegal, and consequently, that the present Establishment, and Protestant Succession, founded upon that Revolution, were Void and of no Effect.

That the Commons could not but apprehend that the just Resentment and Indignation they had shewn upon that Occasion, would meet with the general Applause of all that were heartily and sincerely well affected to Her Majesty, and Her Government; but for all those whose Principles and Practices rendered them most justly suspected to have other Views, they were not at all surpriz'd to find them alarm'd, and under the greatest Concern, at that Trial.

That he was very sensible of the Difficulty and Nicety that attended the speaking to that Point, and that whilst a Loyal Subject and Faithful Servant of the best of Queens was speaking in Defence of the Necessary and Commendable Resistance us'd at the Revolution, his Arguments might be misconstrued, and misrepresented, as maintaining Antimonarchical Schemes. But that surely, to plead for Resistance, that Resistance which alone would be concern'd in this Debate, was to assert and maintain the very Being of the present Government and Constitution; and to assert Non-Resistance in that boundless and unlimited Sense, in which Doctor Sacheverell presumed to assert it, was to Sap and Undermine the very Foundations of our Government, to remove the Natural Basis and Fundamental Strength of our Constitution, and to leave it under-set with imaginary Props and Buttresses, which did, at best, but ill support a shaken Foundation: And

'twas

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It was a most surprising Assurance in the Enemies of our Government, that whilst they were striking at the Root, and digging up the Foundations upon which our present and future Settlement was built, that they hoped to pass upon the World as Friends to either: but that so irreconcilable were the Professions and Practices of some Men, so awkwardly did they speak well of what they did not in their Hearts approve, that in Vindication of his late Majesty (for that's a Part that sometimes they thought useful to act) they declar'd his most glorious Enterprise, to save a sinking Nation, utterly Illegal: To recommend themselves to the Queen they condemn'd that Revolution, without which She never had been Queen, and we a most unhappy People: That to testify their Zeal and Affection for the Protestant Succession, they invalidated all the Laws that had been made for securing that Blessing to Posterity: And that lastly, to manifest their Aversion, and for ever to blast all Hopes of the Pretender, they advanced and maintained the Hereditary Right, as the only true Right to the Crown. But what Interest these Opinions might at one Time or other be produced to support, and in favour of whose Pretensions these Insinuations were easily understood to be, and in favour of Settlement they could hardly be construed, I submit to your Lordships Consideration.

That the utter Illegality of Resistance, upon any Pretence whatsoever, was the General Position laid down in the Sermon, which, if it be strictly, and in the most extensive manner, true, The assuming and exercising a Power of dispensing with, and suspending the Laws, The Commitment and Prosecution of the Bishops, The Erecting a Court of Commissioners for Ecclesiastical Causes, the Levying Money by Pretence of Prerogative, The raising and keeping a Standing Army without Consent of Parliament, The Violating the Freedom of Elections of Members to serve in Parliament, and all the Grievances enumerated in the Bill of Rights, were all meer Pretences, and not sufficient to Warrant and Justify what was then done, in Defence of the true, ancient, and indubitable Rights and Liberties of the

the People of this Kingdom, which were now again Enacted, Ratified, and Confirmed, and Enjoin'd to be firmly and strictly holden and observ'd: By what Reasons, or Distinctions, the Doctor would explain himself off upon this Head, he could not easily foresee, unless he would be so ingenuous as to confess, what there was too much Reason to believe would be his Opinion, if ever a proper Time should serve for declaring, That the Acts of Parliament made upon, and since the Revolution, were only the Effects of a happy Usurpation, and no part of the true Law of the Land.

That Resistance is no where Enacted to be Legal, but subjected, by all the Laws now in Being, to the greatest Penalties; 'tis what is not, cannot, nor ought ever to be describ'd, or affirm'd, in any positive Law, to be excusable: That when, and upon what never to be expected Occasions, it may be exercised, no Man can foresee; and ought never to be thought of, but when an utter Subversion of the Laws of the Realm threaten the whole Frame of a Constitution, and no Redress can otherwise be hoped for: That it therefore does, and ought for ever to stand, in the Eye and Letter of the Law, as the highest Offence. But because any Man, or Party of Men, may not out of Folly or Wantonness commit Treason, or make their own Discontents, ill Principles, or disguised Affections to another Interest, a Pretence to resist the Supreme Power, would it follow from thence, that the utmost Necessity ought not to engage a Nation in its own Defence, for the Preservation of the whole? Or on the other side, That because the greatest and most inexpressible Emergencies did sufficiently justify and warrant the Resistance of the Revolution, would it be a Consequence, that therefore, upon every slight Pretext or common Occasion, the Laws that fence against Treason would be of no Effect? He hoped their Lordships just Judgment in that Case would convince the World, that every *Seditious, Discontented, Hot-headed, Ungifted, Unedifying Preacher*, (the Doctor would pardon him for borrowing one String of Epithets from him, and for once using a little of his own Language) who had no Hopes of distinguish-

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W distinguishing himself in the World, but by a small
 less Indifference, might not advance, with Impar-
 ty, Doctrines destructive of the Peace and Quiet of
 Her Majesty's Government, and the Protestant Suc-
 cession, and prepare the Minds of the People for an
 Alteration, by giving them ill Impressions of the
 present Establishment and its Administration.

That the Doctrine of unlimited, unconditional
 Passive Obedience, was first invented to support
 Arbitrary and Despotick Power, and was never pro-
 moted or countenanced by any Government that
 had not Designs some Time or other of making use
 of it; What then could be the Design of Preaching
 this Doctrine now, unask'd, unsought for, in Her
 Majesty's Reign, where the Law was the only Rule
 and Measure of the Power of the Crown, and of
 the Obedience of the People? That if then this
 Doctrine could neither be an Advantage or Security
 to her Majesty, who neither wanted nor desired it,
 to what End and Purpose must every thinking Man
 conclude 'twas now set on Foot, but to unhinge the
 present Government, by setting aside all that had
 been done in Opposition to that Doctrine; and
 when, by these Means, the Way was made clear to
 Another's Title, the People were ready instructed
 to submit to whatever should be imposed upon
 them.

That it might be expected, after he had said thus
 much in general, he shou'd proceed to shew in what
 Parts of the Sermon these Aspersions were contain'd:
 But that Part had been so fully and distinctly spoke
 to, by those Learned Gentlemen that went before,
 that he would not mispend their Lordships Time,
 by repeating what had been already so fully and
 justly made out; but so much he would venture to
 say, That if they removed the Rubbage, with which
 the Doctor had an excellent Talent at puzzling
 Common Sense, and bring together the several Sen-
 tences that could only be relative to one another,
 'twas impossible for the Art of Man to make any
 Inferences or Constructions so close and strong, as
 the plain and genuine Sense of the whole Scope of
 his Sermon, must at first View suggest to every
 Man's Understanding. And all that the Doctor
 alledged

alleged in his Defence was, That in the Revolution
 on there was no Resistance at all, and that the King
 did utterly disavow any such Imputation. But surely
 it could not be necessary to prove Resistance in
 the Revolution, he should as well expect that their
 Lordships would desire him for Fome's sake, to prove
 the Sun shone at Noon-Day; That if then, there
 was most undoubtedly Resistance used to bring about
 the Revolution, it would follow that all the Cen-
 suras, which were so freely bestowed upon Resis-
 tance in general, must extend, and would be impu-
 ted to the Revolution: And if Resistance was utterly
 Illegal, upon any Pretence whatsoever; If it was a Sin,
 which unrepented of, by the Doctrine of the Church
 of England, carried sure and certain Damnation; If,
 upon Repentance, there was no Remission of Sins with-
 out a Steadfast Purpose to amend the Evil we had
 done, and to make all possible Reparation, or at least
 to do our utmost Endeavours for that Purpose; he
 begg'd their Lordships to consider what a Duty was
 here pressed, upon the Peril of Damnation, upon e-
 very Man's Conscience, that knew, or believ'd that
 there was Resistance in the Revolution, and was
 Conscious to himself of any ways assisting, or even
 consenting, to that Damnable Sin; and what must be
 the Consequence, if these Doctrines, without any
 Reserve or Exception, were with Impunity preach-
 ed throughout the Kingdom; which he hop'd suffi-
 cient to satisfy their Lordships, that Dr. Sacheverell
 was guilty of the Charge exhibited against him in
 the first Article; and that He was an Offender of
 that Nature and Malignity, that that Court only
 could be the proper Judges of such high Crimes;
 and that from their Lordships Justice the Commons
 hoped That his Punishment would be adequate to
 the Heinousness of his Offence.

Sir John Hawles being the next to speak, he said, Sir John
Hawles's
Speech.
 He hoped that the Gentlemen that had spoke before
 him would excuse him, if he made use of another
 Method than what they had done; which he should
 do, not misliking the Course they had taken, not
 that he thought the Method he should take was bet-
 ter than theirs; but only because he would not re-
 peat

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what was said by them, that he would come with a word Grace from him, & that he did from them, and because he was sure what he said was very well remembered by their Lordships. As to the Passages taken out of the Sermon to prove the Doctor guilty of the Fact of the first Attack, they had been so fully open'd, and so very well applyed, that he had very little to add to what had been offer'd. He should therefore only say, that the Clause of his Sermon, wherein he asserted that 'The grand Security of our Government, and the very Pillar upon which it stood, was founded upon the Steady Belief of the Subjects Obligation to an absolute and unconditional Obedience to the Supreme Power in all things Lawful, and the utter Illegality of Resistance upon any Pretence whatsoever, he laid down not as a Doctrine he would teach his Congregation, but in order to draw an Argument from thence for some other Purpose; and what that was appear'd plainly afterwards; for having alledg'd some Things not proper for the Occasion for which the Day upon which he preach'd was solemnized, he added, 'Our Adversaries think they effectually stop our Mouths, and have us sure and unanswerable on this Point, when they urge the Revolution of this Day in their Defence; but certainly they are the greatest Enemies of that, and his late Majesty, and the most ungrateful for their Deliverance, who endeavour to cast such Black and Odious Colours upon both. How often must they be told, that the late King himself disclaim'd the least Impuration of Resistance? By which 'tis plain, that the Position of the Subjects Obligation to an absolute and unconditional Obedience to the Supreme Power laid down, was only to shock and lay Odious Colours upon the Revolution, or the Means whereby it was brought about; he knowing that the Means whereby it was brought about was by Force, and he knew it was so declar'd by the Act of Parliament made in the first Year of King William and Queen Mary, for preventing vexatious Suits against such as acted in order to the bringing in the late King and Queen. And tho' he would insinuate that the same was done by Force, I must

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must own he does not assert that it was or was not *February*
done by Force, but he strongly insinuates it was not
done by Force, when he asserts, though untruly,
that the late King disclaim'd any Resistance upon
his Coming. He would say nothing more as to that
Matter, and nothing as to that other that had been
largely open'd, relating to the Subjects Obligation
to an absolute and unconditional Obedience to the
Supreme Power, the rather, because if it was doubt-
ful, the Acts of Parliament mentioned in the Preface
to the Articles, whereby the Revolution had been
declar'd to be a glorious Enterprize, and the Means
whereby it was brought about, justified and deter-
mined that Matter; and because their Lordships, as
well as the Commons, would not suffer the Doctor or
his Council to say any thing against the Revolution,
or the Means whereby it was brought about.

That the Commons of *Great Britain* own'd their
Lordships to be the Supreme Court of Judicature in
this Government; but they thought that Acts of
Parliament, whereof their Lordships were in part
the Makers, were as binding upon their Lordships, as
a Court of Judicature, as they were upon any Court
of *Westminster-Hall*, where Matters determin'd by
Act of Parliament were never suffer'd to be disputed
afterwards; but he own'd what was practis'd in
Westminster-Hall was not a Rule whereby their
Lordships ought to be govern'd, and therefore only
rely'd upon the Reason of what he asserted; for al-
tho' their Lordships were the Supreme Court, and
from whom no Appeal lies to any other Court of
Judicature, yet their Lordships, as they were Part
of the Legislature were greater than they were in
their judicial Capacity, in which they were subject
to the Law; tho' in their Legislative Capacity, in
Concurrence with two other Powers, they were
above the Law. It was therefore incongruous, that
a Court of Persons of less Power should judge other-
wise than the Court of greater Power had deter-
min'd; but this he submitted to their Lordships, and
was sure the Gentlemen of Council, with the Do-
ctor, knew their Duty so well in this Matter, that
they would not give their Lordships the Trouble of
an Admonition upon this Occasion. Then he pro-
ceeded

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ceeded to prove the Doctor guilty of what he was charged with in this first Article, by the Doctrine by himself laid down in his Sermon, and admitting for Argument sake the same to be true; though this he must assert, that he carried the Doctrine somewhat farther than the Apostles did in some respects, but in other respects seemed to restrain it more than they did. That in the restraining Part he seemed to confine the absolute and unconditional Obedience to Things lawful, which Restraint look'd like something, but in Truth, upon Examination, was nothing; for, suppose the Supreme Power commanded the Subject to do something which it thought is Lawful, but the Subject not willing to obey, pretending the Thing to be Unlawful, the true Reasons being, that they were chargeable, troublesome, hazardous, or the like; in this Case who was to be the Judge, the Supreme Power, or the Subject? In the Reason of the Thing, neither of them were proper Judges; for the Supreme Power would be byass'd, by reason of the Command given by them at first, and would be asham'd to own what they commanded was Unlawful, and therefore would give Judgment on their own Side, to justify themselves in what they had commanded; and the Subject would be as much byass'd for the same Reason that he was at first dissatisfied with the Command; and there being no higher Power or Authority to appeal to than the Supreme Power, that must needs be the Judge, from whom there can be no Appeal. He added, That perhaps the Doctor and he differed in the Persons in whom the Supreme Power was lodg'd; for the Doctor had not mention'd that Matter, either in his Sermon, or in his Answer to the Articles; but he hoped in the Answer he was to give to what was now objected against him; he would tell them in whom that Power was lodg'd; he himself thought it was lodg'd in her Majesty, the Lords Spiritual and Temporal and Commons in Parliament assembled: And he thought when the Acts mentioned in the Impeachment did pass (except the Act for declaring the Rights and Liberties of the Subject) the Supreme Power was lodg'd in the late King *William* and Queen *Mary*, and the Lords

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Lord, Spiritual and Temporal and Commons in
Parliament assembled. But as the Doctor seem'd
to have restrain'd his Doctrine of Non-Resistance,
he had as much enlarg'd his Doctrine of Absolute
Obedience; for as he thought what had been hi-
therto written or asserted upon the Occasion of that
Matter, went no further than Passive Obedience
and Non-Resistance; but the Prisoner's Doctrine
extended to Active Obedience as well as Passive;
because, as he thought, the Words of the Apostle,
from whom this Doctrine was taken, seem'd to re-
strain it only to Passive Obedience and Non-Resi-
stance; and the Reasons why the Apostles inculca-
ted no other Obedience, was, because that was suf-
ficient to secure the Government under which the
Apostles liv'd, which was the *Roman* Government,
and which stood in Fear of no Foreign Force; and
which Government was said and believed cou'd not
be ruin'd but by its own Subjects, which prov'd af-
terwards to be true. That that their Doctrine was
the Doctrine of Christianity, and truly so call'd, he
readily agreed with the Prisoner, but did not think
that Christianity introduc'd that Doctrine into the
World, that it was as ancient as Government, be-
cause it was impossible that Government could sub-
sist, unless supported by its Subjects; but how an-
cient that Doctrine was could not be asserted, with-
out knowing how Government came to be intro-
duced into the World: If it was Patriarchal, as
some had asserted, it was as ancient as *Adam*; if it
was introduced by Conquest, then its Date was no
higher than *Nimrod*; if it was by Compact, then
he would not say when it began; but this was cer-
tain, that it was as ancient as the *Roman* People,
which was above Seven Hundred Years before the
Coming of our Saviour, but how long before the *Ro-
man* Name was known he could not take upon him
to say. But that tho' this Doctrine was not intro-
duced by Christianity, yet he thought it might well
and properly be call'd the Christian Doctrine; for
tho' amongst the Heathens it was a Political Law,
and oblig'd, as others did, for Fear of Punishment,
yet Christianity first press'd this Doctrine upon the
Consciences of the Subject, which no other Religi-

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on did, and that was sufficient to entitle it to the Name of Christian. But the Doctor, as he said, had carried it farther than the Words of the Apostles did, extending it to an Active Obedience, which the Words of the Apostles did not warrant, in the Strictness of the Expressions. But yet he would not contest with the Doctor in that Matter, for if the Doctrine, as preached by the Apostles, was sufficient to secure the Government they now liv'd under, as it was not; the Doctor might very well think that what he now asserted by the Equity, as they call it, that is, the Reason of the Doctrine preach'd by the Apostles, was well warranted.

Having thus stated the Matter of the Subjects Obedience to the Supreme Power, he could not imagine how the Doctor could justify himself in declaring against the Revolution, as he had done; when he knew, as well as any, that the Revolution had been justified by the Supreme Power in the Acts of Parliament mention'd: For certainly it must be granted, that the Doctrine that commanded Obedience to the Supreme Power, tho' in things contrary to Nature, even to suffer Death, which was the highest Injustice that could be done a Man, rather than make an Opposition to the Supreme Power, (because the Death of one or some few private Persons was a less Evil than disturbing the whole Government,) that Law must needs be understood to forbid the doing or Saying any thing to disturb the Government, the rather because the obeying the Law could not be pretended to be against Nature; and the Doctor's refusing to obey that implicit Law, was the Reason for which he was now prosecuted, though he would have it believed, that the Reason he was now prosecuted was for the Doctrine he asserted of Obedience to the Supreme Power, which he might have preach'd as long as he had pleas'd, and the Commons would have taken no Offence at it, if he had stopp'd there, and not have taken upon him, on that Pretence or Occasion, to have cast odious Colours upon the Revolution; that if he was of the Opinion he pretended, he could not imagine how it came to pass that he that paid that Deference to the Supreme Power, had preach'd so directly

contrary

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contrary to the Determinations of the Supreme Power in this Government; he very well knowing that the Lawfulness of the Revolution, and of the Means whereby it was brought about, had already been determined by the aforesaid Acts of Parliament, and should do it in the worst manner that he could invent; for questioning the Right to the Crown here in England had procur'd the shedding of more Blood, and caused more Slaughter than all the other Matters tending to Disturbances in the Government put together. If therefore the Doctrine which the Apostles had laid down was only to continue the Peace of the World, as thinking the Death of some few particular Persons better to be born with than a Civil War; sure it was the highest Breach of that Law to question the first Principles of that Government.

That it was not forgotten how much Blood was spilt upon the Account of the Title between the Houses of York and Lancaster, in which the Learned in the Law did differ; and the setting on foot that Question of the Title of the present Government, which was above twenty Years ago determined, and that Determination acquiesc'd in from that time till now, in all Probability, if not suppress'd, would tend to as great Mischief as that War entail'd on the Nation. But that yet the Doctor, who preach'd up the Subjects Submission to the Supreme Power, even to Death it self, thought he had not only a License, but a Command from God, to enquire into the late King and Queen's Right to the Crown, and to blow a Trumpet to set his Fellow Subjects to cut one anothers Throats upon that Account. That this surely was the absurdest Construction of a Text that ever was made; and yet that this was the Case, if they would compare the Prisoner's Practice with his Doctrine.

That the Doctor ought to have consider'd what our Saviour and his Apostles did in their Times; that we did not find that any of them ever question'd the Title of the Emperors, under whose Government they liv'd, or ever said any thing relating to their Titles, or that Power they exercis'd; and yet if they had thought it lawful or expedient, they had

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just Occasions to have done so. Than St. John the Survivor of the Apostles, he does testify, to the time of *Nero*, so that by that Account the liv'd under thirteen Emperors, including *Augustus* and *Trajan*, and yet neither of them had so much as a Preference of Right to the Empire, according to the Opinion we have of that Right now. Than the first and last of those Emperors were the very best the Romans had, except perhaps *Titus Vespasian*, and yet that *Augustus* came to the Empire by the worst Means of any of them, for he waded through a Sea of Blood, and was guilty of a great many Acts of Treachery and Cruelty; but that after the World had reap'd so many Benefits by his excellent Government, it forgot his Iniquity of the Means whereby the Empire was obtained; and the best Means of obtaining the Empire by the following Emperors, till the time of *Rome Vespasian*, were by Force, and most of them by treacherous Murders; and yet we did not find that either our Saviour or his Apostles reproach'd any of those Emperors with the Injustice of the Means whereby they did so. And he thought it would have become the Doctor to have follow'd those good Examples; but that the Doctor was of another Opinion, and thought the aforesaid Words of *Isaiah*, *To cry aloud*, &c. did well warrant that his Opinion, not considering that that Prophet had that express Command from God, for reproving the Hypocritie of the *Jews*; and that if the Doctor had the like Command for Preaching as he had done, he thought he had quoted a good Authority for so doing; but that he must give them a better Proof of such Command than hitherto he had done.

That if he thought the Command given to *Isaiah* extended to him, how came it to pass that the Apostles did not think that the same Command extended to them? Did not they live nearer the time of *Isaiah*? Were not they acquainted with the Writings of *Isaiah* as well or better than the Doctor, and so might have known the Authority given to that Prophet better than the Doctor? but yet forbore to do as the Doctor had done; and their having forbore so to do could not proceed from any other Reason, than

than that they thought those Words did not extend *February.*
to them, or that they thought it was not Lawful or
Expedient for them to question the Title of those
Princes, or the Justice or Means whereby they ob-
tained it.

He added, that if the Doctor had been contented
with the Liberty he took of Preaching up the Duty
of Passive Obedience in the most extensive manner
he had thought fit, and would have stop'd there,
their Lordships would not have had the Trouble in
relation to him that they now had; but it was plain
that he preach'd up his absolute and unconditional
Obedience, not to continue the Peace and Tranquil-
lity of this Nation, but to set the Subjects at Strife,
and to raise a War in the Bowels of the Nation;
and that it was for this that he was now prosecuted,
though he would fain have it believed that the Pro-
secution was for preaching the peaceable Doctrine of
Absolute Obedience.

He could not but take Notice of the Scandal the
Doctor charged upon the late King, as if when he
landed here he had disclaimed all manner of Impu-
tation of Resistance, than which nothing was more
untrue, even by his own Confession in his Answer,
and the Words of the Declaration mention'd in the
Print of the Sermon, though no Part of the Sermon,
whereby he pretended to explain himself, by say-
ing, he intended a Disclaimer of Resistance in or-
der to a Conquest, than which nothing could be
more absurd, for never was a Conquest made, or
ever will be made, by bare Resistance, nor ever
was there a weaker Thing charged upon a Prince,
than to make him disclaim all Resistance at a time
when he was actually making War; for his bring-
ing an armed Force of that Number he did into this
Kingdom, with a great Train of Artillery with him,
was making War by the Law of Nations, and then
and now by the Law of *Great Britain*; and he had
charged the Prince of Orange with an Act of the
highest Treachery, in pretending Peace when he
actually made War.

That the last Matter he should take Notice of
were the Words in the 19th Page of the Doctor's
Sermon, viz. *That old Leaven of their Forefathers is*

February. *Still working in the present Generation; that this Traditional Poison still remains in this Brood of Vipers, to sting us to Death, is sufficiently visible, as to the dangerous Encroachment they now make upon our Government, and the treasonable Reflection they have publish'd upon Her Majesty, God bless her! whose Hereditary Right to the Throne they have had the Impudence to deny and cancel, to make her a Creature of their own Power; and that by the same Principles they placed a Crown upon Her, they tell us they (that is the Mob) may Reassume it at their Pleasure.* Now he thought it could not be doubted who it was the Doctor meant by the Word *Mob*, which was the People of *England*; for though the Word *Mob* was a Cant Word amongst a sort of People called *Gypsies*, and with them signified the Meanest, or the Scum or Dregs of the People; yet as the Doctor had used it in this Place, it could signify nothing else than the Body of the People of *England*, of whom, he thought their Lordships do not think it beneath them to be thought a Part, and the chiefest Part; for he asserted, they say, that they placed a Crown upon her Majesty, and from thence made an Inference, that they might Reassume it at their Pleasure; which could be intended nothing else than what was done in respect of her Majesty by the Bill of Rights, wherein 'tis said, 'That the Lords Spiritual and Temporal and Commons in Parliament assembled, did declare her Majesty after the Death of the late King and Queen, without Heirs of her Body, was Lawful and Rightful Queen of this Realm. Now, though her Majesty had an Hereditary Right and Title to the Crown, and so she was not so much concerned in the Declaration by the said Act, as the last King and Queen, in what that Act conferred upon them, which was done only by the People of *England*, under the Denomination of Lords Spiritual and Temporal and Commons in Parliament assembled; and that if that did not confer a Title to the Crown on the late King and Queen, they, who were in their Lives time thought to be lawful and rightful King and Queen of these Realms, by the Doctor's Reasoning, were no better than the Usurpers of anothers Right; and though that Bill of Rights was afterwards confirmed by an Act in the second Year of their Reign,

yet

yet that will not at all mend the Matter; for if they did not obtain a Right by the Bill of Rights, to the Crown of these Realms, they were no more King and Queen of these Realms, than they were before the said Bill of Rights: But the Truth was, that when a Government was brought out of France by the extraordinary Steps of a Prince, 'twas a vain thing to hope that it ever could be set right by Regular Steps; that this never was done, nor ever will be done; but those Methods which were necessary to set the Government in a right Frame again, had been always taken to be Legal; though by the Nicety of the Law it could not be well justified. That upon the Change of Government from *Richard the Second* to *Henry the Fourth*, the Parliament call'd in the Time of *Richard the Second*, and by his Authority continued to sit in the Time of *Henry the Fourth*, and pass'd several Acts in the Time of *Henry the Fourth*, which was never practis'd before, yet what was done was allowed to be Legal. That to the same Purpose was that which was done in the Time of *Henry the Seventh*; for he and those of his Friends being attainted of High Treason, which, according to the Rules of Law at that time, prevented the Descent of the Crown on him, and his Friends being mostly Attainted, were incapable of Sitting in Parliament, till those Attainders were reversed, which could not be done but by Act of Parliament, or the Court of King's Bench; and he did not care to have a Parliament till his Friends were capable of Sitting there, nor could he make Judges till he was King, which Difficulty seem'd to be insuperable, but the Judges made a Resolution according to the Exigence of the Thing, and declared that Sir *William Stanley's* placing the Crown upon the Earl of *Richmond's* Head purged his Attainder, and he thereby became from thenceforwards King of *England*, and the King thereby enabled to constitute Judges, and the Judges to Reverse the Attainder of all the King's Friends: That it was true, *Henry the Seventh* married the Heiress of the House of *York*, and was thereby, as they now thought, King in Right of his Queen, but he never would own her Title to the Crown, nor ever offer'd her

February to join with him in any Act of Government, nor
 ever declared by what Title he possessed the Crown;
 but yet none of the Acts pass'd in his Time, nor
 any thing then transacted was afterwards question'd
 upon the Account of his Title to the Crown: That
 indeed there was an Act pass'd in his Time that In-
 demnified such as should Obey or Assist the King
 that was in Being, whether he had Right to the
 Crown or no; but that if he had not been allow'd
 to be King before the passing of that Act, the Acts
 of Parliament that pass'd in his Time would have
 been of no more Validity than the Acts pass'd in
 the Time of *Cromwell* or any other Usurper; where-
 by 'twas plain, that the Doctor now, and the Persons
 who had the best Knowledge of Matters of this kind
 in those Days, disagreed in Opinion; and he could
 not but take notice that the Doctor, notwithstand-
 ing his little Knowledge in the Matters he discours'd
 of, made the Declaration by Parliament of the
 Queens Title to the Crown to be the cancelling of
 her Title by Descent; and that therefore he fram'd
 to advise her Majesty to quit that Title She claimed
 from her People, and to rely upon her Title by In-
 heritance: Whereas if the Doctor had but known
 what our Law allowed, or if he had read any thing
 of that Matter, he would have known that those
 Titles did by no Means disagree, but were consistent
 with one another, and that Princes, that sometimes
 had claimed by several Titles, would not make their
 Choice of which they relied on. That *Henry* the
 Eighth, who was the Heir of the Houses of *York*
 and *Lancaster*, never declared on which Title he
 relied; that Queen *Elizabeth*, after the Death of her
 Brother and Sister, claimed as Heir to *Henry* the
 Eighth, and was likewise Devisee of the Govern-
 ment of *England* by the Will of her Father, who
 was by Act of Parliament enabled to give it by his
 Will to whom he pleas'd; but that notwithstanding
 that, she desired to have an Act of Parliament,
 which she had, declaring her to be Queen of *Eng-
 land*, &c. which Act of Parliament was to the same
 Purpose as was the Bill of Rights in respect of her
 Majesty's Title to the Crown. He came next to
 observe some aggravating Circumstances of the Pri-
 soner's

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fourth Crime. As first; that the Doctrine in the
Impeachment was preach'd by a Divine of the
Church of England as by Law establish'd: for a Di-
vine of the Church of England was a Person of that
Credit, that the People were ready to assent to
what he said without considering what the same
was, or how made out: That in the next Place,
it was preach'd in the Cathedral Church of the Me-
tropolis of that Kingdom; that had it been preach'd
in some obscure Country Town, it would have hard-
ly been taken Notice of: That in the third Place,
it was preach'd before the Lord Mayor and Court of
Aldermen of the City of London, and so far approved
of by them, or some of them, as to be commanded
to be Printed: for which reason what he preach'd
had done more Mischief than otherwise it would
have done, there having been about Forty Thou-
sand Printed to villifie the Revolution, on which de-
pended the Security of the Protestant Religion both
at Home and Abroad, and the Succession of the
Crown in the Protestant Line, the Union of the
two Kingdoms, the Queen's Bounty to the poor
Clergy, and several other Benefits we enjoyed by
the Revolution, and amongst others, that her Ma-
jesty was and is so peaceably possessed of the Crown
For if the Force before the Revolution, which sup-
press'd her Majesty's Hereditary Right to the Crown
had not been removed by the Revolution, as it was,
Her Majesty's Title would never have been able to
have exerted it self; and if ever the Doctor or any
of his Accompllices should be able so to shock the
Revolution, as to remove what was built upon it,
he doubted that Force which the Revolution re-
moved would return again, and oppress the Queen's
Title to the Crown, as it did before.

He could not pass by the Doctor's Answer to the
Articles without taking Notice of one Passage in the
same, viz. *Hard is the Lot of the Ministers of the
Gospel, if when they Give the Word of God in their gene-
ral Exhortations to Piety and Virtue, the several Texts
by them Cited should be said to be by them meant of par-
ticular Persons and Things.* That he submitted to
their Lordships Judgment the Unreasonableness of
that Complaint, and whether the several Texts and
Passages

February. **W**illiges cited by him in his Sermon could bear any other Construction than what had been made, and whether it was not the Duty of the Preacher to deliver himself so in the Pulpit, that his Meaning should not be doubtful to his Congregation. That the Commons of Great Britain did not go about to make him Assent or Swear to what the Supreme Power had determined, though the Doctor in his Sermon had thought fit to impose Matters of that kind upon other Persons, so as to make them swear to them; no, the Commons of Great Britain would only have him restrained from publishing any thing, and especially in the Pulpit, which reflected upon the Supreme Power, or what they had or should determine, which even the nicest Conscience never yet boggled at. That the Commons might have charged these Matters against the Doctor as High Treason, and so it had been done in Indictment against some Divines in a Reign known to their Lordships, for Matters in their Sermons less Heinous than those for which he was Impeach'd; That yet the Commons had called the Matters of that Impeachment only High Crimes and Misdemeanours; and that it was a Rule in our Law, that the Court in which a Prosecution was had, could not call the Crimes greater than what the Prosecutor thought fit to charge them, and could not adjudge a greater Punishment to the Crimes than usual, but in some Cases might lessen the Punishment for such Crimes; and that whatsoever Censure their Lordships should pass upon that Criminal the Commons of England would acquiesce in, and be well satisfied with the same.

Mr. Stanhope's Speech.

Lieutenant-General Stanhope, who spoke next, told their Lordships that he should particularly apply himself to make out to their Lordships, that as the Prisoner at the Bar was guilty of the Matter charged in that first Article, so he had done it (as the Preamble of the Article set forth) with a Wicked and Malicious Intention to Undermine and Subvert her Majesty's Government, and the Protestant Succession as by Law Establish'd; to Defame her Majesty's Administration; to Asperse the Memory

mony of his late Majesty; and to produce and confirm the late happy Revolution; in the same Preamble to the Articles it was charged against him, That if it was true, that Non-Resistance asserted in general Terms did destroy the Foundation of the Revolution, the present Establishment, her Majesty's Title to the Crown, and the Settlement of the Protestant Succession; it was as true, that the Doctor, who had advanced that Doctrine in general Terms, was guilty of that Charge of intending to subvert the Government; And then their Lordships ought to proceed against him, as an Enemy to the Government.

That what had been said by the Gentlemen that spoke before him, concerning the Doctrine of Non-Resistance, had been said with so much regard to Truth, to her Majesty and her Government, that he was persuaded nothing that had been said on that Subject could justly be misconstrued. But that on the contrary, to assert in General Terms the absolute Illegality of Resistance on any Pretence whatsoever must be understood by all impartial and thinking People to overthrow her Majesty's Title and Government; since at the same time that the Doctor and the Enemies of the Government skreen'd themselves under the specious Notion of professing Absolute and Passive Obedience to the Supreme Powers, they could not conceal their true Meaning; that the true and real Object of their darling Doctrines, such as *Jus Divinum*, the *Undefeasible*, *Unalienable Hereditary Right*, was a Prince on the other side the Water. That they could not otherways be consistent with themselves. For in the same Breath, in the same Discourse, to preach Passive unlimited Obedience to Magistrates, and to revile and defame the Magistrates, to preach Non-Resistance on any Pretence whatsoever, and to encourage Sedition by inveighing in the strongest manner against the Administration; these were such Contradictions as could no otherways be reconciled, no otherways, than by concluding, what was very plain from their Conduct, that however they were pleased to colour and disguise their Discourses, their true End was only to disengage and alienate the People's

February. People's Affection from their present Government to insinuate to them that the Foundation of the Revolution was wrong; that the Revolution it self was an usurpation; that whatever had been built upon that Foundation could have no weight; and to misrepresent those who had a Hand in it as Rebels and Traytors.

That as to the Doctrine it self of Absolute Non-Resistance, it should seem needless to prove by Arguments that it was inconsistent with the Law of Reason, with the Law of Nature, and with the Practice of all Ages and Countries. Nor was it very material what the Opinions of some particular Divines, or even the Doctrine generally preach'd in some particular Reigns, might have been concerning it. That it was sufficient for them to know what the Practice of the Church of England had been when it found it self Oppressed. And that indeed one might appeal to the Practice of all Churches, of all States, and of all Nations in the World, how they behaved themselves when they found their Civil and Religious Constitutions Inva- ded and Oppressed by Tyranny. That he believed one might further venture to say, that there was not at that Day subsisting any Nation or Govern- ment in the World, whose first Original did not re- ceive its Foundation either from Resistance or Com- pact. And as to their purpose it was equal, if the latter were admitted. For wherever Compact was admitted, there must be admitted likewise a Right to defend the Rights accruing by such Compact. To argue the Municipal Laws of a Country in this Case was idle. Those Laws were only made for the common Course of Things; and could never be understood to have been designed to defeat the End of all Laws whatsoever: Which would be the Con- sequence of a Nation's tamely submitting to a Vio- lation of all their Divine and Human Rights.

That there was a Latitude left to the Subjects in such a Case was allowed by the most strenuous Ad- vocates of Passive Obedience: And he should on that Occasion quote to their Lordships the Sermon of a Reverend Divine, who, he was sure, was not thought to be a Favourer of Antimonarchical Prin- ciples,

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 ticles, nor to deserve any of those petty Epithets which the Doctor so liberally bestowed on those who differed from him in his Opinion. Take the *Late Sermon* of Dr. Atterbury preach'd to the Convocation. The Scope and Drift of which was to preach up Absolute Obedience. That yet such was the invincible Force of Truth, and such the Nature of that Argument, that the Doctor, not to betray his own Conscience, after having well thought upon it, was obliged to express himself in the following Words, *Quando autem, quibusque de causis Magistratum imperia detrahare Nosmetipsos in libertatem vindicare liceat, ne verbulis quidem indicant: nisi cum aliquid ab hominibus forte imperatum fuerit, latius Deo legibus contrarium. Id ubi acciderit, quid agendum sit, Petri vox illa declarat. Obedire oportet Deo magis quam Hominibus.* That is, But when, and upon what Causes it may be lawful to oppose the Power of the Prince, and assert our Liberties, the Scriptures do not say, unless in Cases when Men shall command things contrary to the Laws of God. When that shall happen St. Peter tells us what we must do, *We must obey God before Men.*

That to apply this to their present Argument, he appeal'd to the Memory of their Lordships, whether King James did not command Things contrary to the Laws of God; whether his Commands to the Reverend Fathers of their Church were consonant to the Law of God; whether his Commands to execute a Dispensing Power; whether his Commands to all such of both Houses, as he could influence to Vote for a Dispensing Power, contrary to their own Consciences, were agreeable to the Law of God; or, in short, whether the whole Course of his Reign was not a Series of Illegal Commands calculated to destroy their Holy Religion, and to violate all their Religious and Civil Rights. That their Lordships thought so; the Commons thought so; and the Nation thought so; and in Consequence of that Doctrine preach'd by St. Peter they chose to obey God before Men.

That Dr. Atterbury goes on thus, *Petenda sunt ista (si quidem peti necesse sit) à Jurisconsultis, à Thesium Politicarum traditoribus; à legibus, à Rerumpublica-*

*February. Sum Formis, sua cuique Genti propriis, eoque sua
suo, sunt haurienda.* But in such Cases you must

advise with the Lawyers, and those learned in
Politicks; and have Recourse to the Laws and
Constitutions peculiar to each several Country, as
to the Springs and Fountains of this Knowledge.

That in Compliance to what was recommended
by that Reverend Dean, he had endeavoured to fol-
low his Advice, to consult with those learned in the
Laws of Nations and Politicks. That he had heard
Grotius was of as good Authority on those Subjects
as any that had wrote about them; that he had ever
been reckon'd a Favourer of Monarchy, and held
in great repute amongst the Divines of their Church,
and that he beg'd Leave, out of the many Passages
to be found in his excellent Treatise *de Jure Belli
& Pacis*, which supported this Argument, to quote
only one out of his first Book, the 4th Chapter, and
13th Section. *Si Rex partem habeat summi Imperii,
partem alteram Populus, aut Senatus, Regi in partem
non suam involanti vis justa opponi poterit, quia ear-
nus imperium non habet: quod locum habere censeo, et-
iamsi dictum sit, Belli potestatem penes Regem fore; id
enim de bello externo intelligendum est, cum alioquin
quisquis Imperii summi partem habeat, non possit non
jus habere eam partem tuendi.* 'If the King hath
' one Part of the Supreme Power, and that the other
' Part is the Senate, or People, when such a King
' shall invade that Part that doth not belong to him,
' it shall be lawful to oppose a just Force to him, be-
' cause his Power doth not extend so far: which
' Position I hold to be true, even tho' the Power of
' making War should be invested only in the King;
' which must be understood to relate only to Foreign
' War: For as for Home, it is impossible for any
' to have a Share of the Supreme Power, and not
' to have likewise a Right to defend that Share.

That this Passage was exactly adapted to the
Constitution of England, and the latter part of it
was perfectly agreeable to what he had always
heard quoted as a Maxim of our Law, *That where-
ever there is a Right, there is a Remedy.* That their
Lordships had Rights; that every Subject of Bri-
tain had Rights, no Body would deny. That now

to say that, when a Prince shall invade all these ^{February} Rights at once, to say that the whole Collective Body of the Nation had no way to vindicate those Rights, was so inconsistent, so contrary to Reason, that 'twas to be wonder'd it could ever enter into the Mind of Man.

That their Lordships and most that heard him were Witnesses, and must remember the Necessities of those Times which brought about the Revolution: That no other Remedy was left to preserve their Religion and Liberties; that Resistance was Necessary and consequently Just. That it was then by no good Man thought a black and odious Crime to take up Arms for the Defence of his Country. That many of their Lordships were Actors in that Resistance. That the greatest Part of the Nation did either actually resist, or countenance, abett, and support those who set them the Glorious Example. That he hoped they had all so much Gratitude to the best and greatest of Queens, as to retain for ever a grateful Memory, how great a Share her Majesty had in promoting that Revolution. That when these Facts were so fresh in their Memories, what must they say to those who gave the injurious Names and Epithets of *Republicans*, of *Enemies and Traitors to Church and State*, to those who were concerned in that Resistance which brought about the Revolution? That sure it might have become them to consider *who* were concerned, and *who* had a Share in it. That it was not only traducing the late King and Queen; it went yet farther: But he should out of Respect forbear to mention what they not only thought, but had frequently the Insolence to own.

That if it was true that this Doctrine of Non-Resistance asserted in so unlimited a Sense as not to except the Revolution, did certainly sap the Foundation of the said Revolution, and the present Establishment which was built upon it; if it was true, that to arraign as guilty of black and odious Crimes all such as were concerned in the Resistance at the Revolution, did involve the greatest part of the Nation in the Guilt of Rebellion and Treason; that if it necessarily followed, from the same Positions, that

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February. our Allegiance was not due to the present Government; he thought they might necessarily conclude, that that Sermon of the Doctor's before their Lordships did tend, as was set forth in the Preamble of the Impeachment, to undermine and subvert her Majesty's Government, and the Protestant Succession, which stood on the same Foundation.

That if the Doctor had in this Sermon only preach'd up Obedience to the Supreme Power, as a Christian Duty, without meddling with Politics, he might have been allowed perhaps to plead for Excuse, that he was ignorant of the Consequences that might be deduced from such general Propositions; that his only Aim was Charity, Peace and Submission to the Magistrates in being. They must therefore pray their Lordships to compare one part of his Sermon with the other: And their Lordships would then be of Opinion with them, not only that the Conclusion they had drawn from his Positions, did necessarily flow from them, but that the Doctor himself must have been conscious of it, and consequently that what he had done, must have been *with a wicked and malicious Intention.*

That had the Doctor in the remaining part of his Sermon preach'd up Peace, Quietness, and the like; and shewn how happy they were under Her Majesty's Administration; and exhorted Obedience to it; he had never been called to answer a Charge at their Lordships Bar. But that the Tenor of all his subsequent Discourse, was one continued Invective against the Government. That Passive Obedience was set down as an indispensable Duty: But that was evident by the whole Sermon, that it was not due to Queen ANNE, or Her Administration. Now what could that be, but to usher in a *rightful Title* (he thought they call'd it) of one on the other side the Water?

That there was such an Affinity between that Sermon, and the Doctrines which were preached and propagated by a certain Set of Men, that he could not but observe to their Lordships on that Occasion, how industrious they had been ever since the Revolution, to prepare a Way for another. They are the Pure and Undeified Church of England!

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The only Men of Loyal and Steady Principles! They never took the Oaths to the Government, never bent their Knee to *him*? They have their own Arch-Bishops, Bishops, and Pastors, and constitute the only true and pure Church of *England*? We are all Schismatics, Hereticks, and Rebels! Now pray, said he, what are the peculiar and distinguishing Characteristick, the Favourite and Darling Tenets of these Men? What else but *Passive Obedience, Jus Divinum, an Hereditary, Indefeasible Right of Succession*, which no Necessity, no Act of Parliament, no Prescription of Time, no Natural or Legal Incapacity can ever invalidate or set aside? If they were in the right, what were the Consequences? The Queen was not Queen: Their Lordships were not a House of Lords, for they were not summon'd by a Legal Writ? They were no House of Commons, for the same Reason: All the Taxes which had been raised for Twenty Years had been Arbitrary and Illegal Extortions: All the Blood of so many brave Men who had died (as they thought) in the Service of their Country, had been spilt in Defence of an Usurpation; and they were only so many Rebels and Traitors.

That if these *Parsons*, (as he might call them) these undefiled pure Church-men, would confine themselves to their own Conventicles, to get Money from a few deluded Women; it might perhaps be consistent with the Indulgence of the mildest of Governments, to suffer them to enjoy the Benefit of that Toleration, which was allowed to Protestant Dissenters, how pernicious and destructive soever to the Publick might be their Principles. But that when they should come and vent their Treasons abroad; when they should occasionally conform, and take the Oath to the Government, in order the better to destroy it; when they should abjure the pretended Prince of *Wales*, but not forget him; when they should invade the Pulpits of the True Church of *England*; when the Pulpit of your Metropolis, instead of Teaching the People to pay their Anniversary Tribute of Praise and Thanks to Almighty God for the many wonderful Successes with which he had blest those Arms which were taken up in De-

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fence of the Revolution; when that Pulpit should be prostituted, and polluted by venting Sedition against the best of Queens; it was high Time for their Lordships to animadvert upon it, for the Honour of those glorious Princes who were dead, for the Honour of Her Majesty, who so happily ruled over them, and for the Peace and Tranquillity of all Her Subjects.

That Tully, who took it from Aristotle, stated the Ultimate End of Government, and the Mark which Rulers ought to aim at, to be *Ortum cum Dignitate*, or Peace with Reputation. That towards attaining this End, he enumerated the several Particulars which it required the greatest Application and Vigilance of good Governors to promote and maintain. And the chief Branches, as he stated them, were, Religion; the just and legal Powers and Rights of the Legislative, and of the Magistrates subordinate to that; a due Administration of Justice; the publick Treasure and Credit; Military Virtue; and concluded with *Laus Publica*: which indeed was the Result of a good Administration of the several Branches mentioned. For Praise both at Home and Abroad would never fail to attend good Management. That if any Man would but reflect on every one of these Particulars, and instance when in any Age there had been in this Island, a more universally glorious Administration, he would allow what the Doctor said to be true.

To begin with Religion, That let any one look upon that Reverend Bench, and say when it was filled with greater Examples of Piety, Learning, and Christian Charity. That truly Christian Moderation, and extensive Zeal and Charity to the Protestant Religion, would in all humane Probability, raise the Lustre and Reputation of their Church to such a Degree, that, as the Glory of their Arms justly entit'led the Nation at present to hold the first Rank, so should the Church be looked upon as the Mother of all the Reformed Churches in Europe.

That as to the just Rights and Powers of the Legislative, their Lordships, and all of them knew, whether ever any Prince on the Throne, had had a more Tender Concern for them, than Her Majesty;

or

for the YEAR 1710.

or whether at any Time there had been a more due and impartial Administration of Justice.

That for the Treasure and Credit of the Nation, he appeal'd to all that heard him, whether ever such large Sums were more chearfully given, or more justly administred. That never were there greater Demands than during this necessary War, nor ever Demands more freely complied with by the People. Such was the Confidence they had in the publick Management, and so ineffectual that Doctor, and his Brethren's sounding a Trumpet to Sedition.

As for their Arms and Reputation; the many unparalleld Successes during Her Majesty's Reign, by Sea and Land, spoke sufficiently, and did sufficiently proclaim, that Her Majesty had far exceeded all her Predecessors. That their *Henrys* and *Edwards* had justly left behind them Immortal Fame, for having broke, and subdued, in their Times, the Power of *France*. That Queen *Elizabeth* should be ever Glorious for having humbled the Pride of *Spain*. That these two great Monarchies had each in their Turn aimed at the Universal Monarchy of *Europe*, and each had been near compassing it, notwithstanding that the one always opposed the other. But that it was never imagined, that if they once became united, any Force in *Europe* could have disputed with them. Yet they had lived to see those two formidable Powers united and threatening Destruction to all the Liberties of *Europe*. That it was a Task reserved for Her Majesty to encounter this united Force. That she had attacked and reduced them to sue for Peace; and that they were perhaps just now at that very decisive Period of Time, when they were to reap the Fruits of a long and expensive War, by the Conclusion of a solid and lasting Peace.

That now, at such a critical Juncture, at a Time when it behoved them more than ever to preserve that Union among themselves. upon which the Union of the whole Alliance did so much depend, upon which the happy Conclusion of that War, and consequently the Safety and Honour of their Church and State did depend; what did that Pious Son of the Church? What did this Loyal Subject. this

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Passive Obedience Gentleman do? He was preaching to the City of London, from whence we were to receive the greatest Part of the Supplies granted for carrying on the War: Did he say one Word to them to promote and carry on the Publick Good? No: He did to the utmost of his Ability, endeavour to create in them groundless Mistrusts and Jealousies of the Administration. And he would appeal to the Conscience of every one that heard him, and desire, that laying their Hand upon their Hearts they would truly determine with themselves, whether, if those Citizens who heard that Sermon had been byass'd by it, they could have expected one Penny of Money from them, to support a Government which was represented so odious. But those Honest Citizens heard this Trumpeter of Sedition with Indignation. Their Affection to the Government was not to be shaken. Her Majesty was absolute in the Hearts of her Subjects: which was the best way of being Absolute: And all the artificial Suggestions of these *False Brethren* (so use his own Language) would never lessen their Affections to Her.

That how impotent and weak soever the Malice of these Men might prove, yet when such Doctrines were broached and publickly preach'd, as tended to enslave a free Nation, to foment Divisions and Parties, to seduce them from their Allegiance to the Best of Princes; it became the House of Commons, who were Guardians of the Constitution and Liberties of the People, to bring such Delinquents to Justice; and it would become their Lordships, who were Guardians of the Constitution of the People, to prevent the growing of such an Evil. That this Man was an inconsiderable Tool of a Party; no ways worth the Trouble they had given their Lordships: But that they look'd upon it that their Lordships Judgment in that Case would be giving a Sanction which should determine what Doctrines of this kind should or should not be preached. They were perswaded therefore that their Lordships, in giving Judgment on that Case, would have a Regard to the Honour of the late King and Queen, so highly aspersed; to the Security of her Majesty and her

her Government; to the Protestant Succession; to the Preservation of the Peace at Home, and Reputation Abroad; where if it should be heard that they have Men amongst them insolent enough to vent such Notions, they might likewise hear that it had not been done with Impunity.

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The Managers for the Commons having thus finished the First Article of the Impeachment, Sir Peter King proceeded to make out the Second, which related to the Toleration, one of the principal Consequences of the Revolution. That it was well known that great Severities had been formerly used against Protestant Dissenters, which were fomented by Popish Practices, in order to divide them, and thereby weaken the common Protestant Interest and particularly that of the Church of England: That this the whole Church of England plainly saw in the Reign of the late King James, when Popery was coming in like a Flood, and threatened an universal Ruin, and then they did universally profess their Readiness and Intention to show all manner of Tenderness to other Protestants, when it should be in their Power to do it. That the Seven Bishops, who, to their everlasting Honour, made so noble a Stand for the Liberties of the Church and Kingdom, did in their Petition to King James declare, that their not reading the Declaration for Liberty of Conscience was not from any want of due Tenderness to the Dissenters, in relation to whom they were willing to come to such a Temper as should be thought fit, when that Matter should be considered and settled in Parliament and Convocation. And that to the Glory of the Church of England, it must be remembered, that when the Revolution was afterwards effected, they were as good as their Word, and an Act pass'd, in the very first Year of their late Majesties King William and Queen Mary, Intit'led, *An Act for Exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws.* That this was that Act that is commonly call'd, *The Act of Toleration*, and was confirmed by another Act made in the succeeding Parliament. That as this Act is agree-

Sir Peter King's Speech to the Second Article of Impeachment.

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able in it self to the Profession of the Christian Religion, and particularly to the Doctrine of the Church of *England*, so it had been found by Experience so much for the Honour of the Kingdom, and for the Credit of the Church, that her Majesty had been pleased to declare from the Throne her Intention inviolably to maintain it, and both Houses of Parliament have done the same in the most solemn Manner.

The Duke of Buckingham moves, that Dr. Sacheverell be heard Article by Article.

Here the Duke of *Buckingham* moved the Lords to adjourn to their own House, which they did; where the Duke urged that Dr. *Sacheverell* might be heard in his Defence, Article by Article. But this was opposed by the Lord *Somers*, who alledg'd, that it was against the usual Method to hear a Defence before the whole Accusation be opened; and that the same would prolong the Trial, which was like to be tedious enough of it self. Then the Question being put; it was carried in the Negative; and their Lordships being returned to the Court in *Westminster-Hall*, Sir *Peter King* went on to this Effect:

That the Act of Parliament that he was mentioning to their Lordships was the Act relating to the Toleration, referr'd to in the Preamble to the Article; that their Lordships, and every one else, remember'd the Necessity there was for that Act, and having experienc'd the Benefit of it, her Majesty and both Houses of Parliament had concurr'd in a Declaration, that that Act should be inviolably observed: That this being then not only a positive Law, but also a beneficial One, as well for the Benefit of the Church in particular, as the Welfare and Support of the Protestant Interest in general, it very ill became any private Person to endeavour to bring that Law, by any publick Discourse, into Contempt or Disrepute.

That the Article the Doctor was charged with in relation hereto was, That he suggests and maintains, that that Toleration granted by Law is unreasonable, and the Allowance of it unwarrantable; and asserts, that he is a False Brother, with relation to God, Religion, and the Church, who defends Toleration and Liberty of Conscience; that

that Queen Elizabeth was deluded by Archbishop Grindall, whom he scurrilously calls a False Son of the Church, and a perfidious Prelate, to the Toleration of the Geneva Discipline; and that it is the Duty of Superior Pastors to thunder out their Ecclesiastical Anathema's against Persons intitled to the Benefit of the said Toleration, and insolently dares and defies any Power on Earth to reverse such Sentences.

That the first Part of that Article, which was the Principal, contained a general Charge against the Doctor, for affirming and maintaining, That the Toleration granted by Law is unreasonable, and the Allowance of it unwarrantable. That the rest of the Article consisted of particular Passages, taken out of his Sermon, tending to make good and prove that general Charge. That as to the general Charge contained in the first Part of it, his Answer was very observable, and was, that upon the most diligent Enquiry he had not been able to inform himself that a Toleration had been granted by Law; but admitted, that an Act did pass in the first Year of King William and Queen Mary, Intit'led, *An Act for Exempting their Majesties Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws.* Which Exemption, he said, he did not any where maintain to be unreasonable, or the Allowance of it unwarrantable; but hoped that he had prevented any such Misapprehension, by declaring, in his Sermon preached at St. Paul's, that he intended not to cast the least invidious Reflection upon that Indulgence which the Government had given.

That it was almost difficult to be serious in giving a Reply to that part of his Answer, that he could not inform himself that a Toleration had been granted by Law. 'Twas true, the Word Toleration was not mentioned in that Act, neither was the Word Indulgence to be found in that Law; but that every Body knew that the Exemption granted by that Act was commonly call'd, *The Toleration*, and the Act it self, *The Toleration Act*: What was the Intent of that Act, but to tolerate and allow Persons, qualified by that Act, to exercise their Religion, not-

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withstanding Penal Laws to the contrary? That Toleration was really a Word of less Import than Indulgence; that it was a bare Permission, and Allowance; and that this Word had gained such a known and fix'd Notion and Signification in every one's Mind; that whenever it was mention'd there was not any doubt what was meant by it. It was now become a Word of Art; that not only in common Conversation, but even the most publick Acts of State, the Exemption granted by the Act made in the first of King *William* and Queen *Mary*, was call'd, *The Toleration*: Did not her Majesty in her Speech to both Houses from the Throne, in the Year 1703, declare that She would always inviolably maintain the *Toleration*? Did not both Houses of Parliament in their several Addresses to her Majesty for that most Gracious Speech, express their deep Satisfaction of her Majesty's Resolution to maintain the *Toleration*? In the free Conferences between the Lords and Commons about the Bill for preventing Occasional Conformity, in the Year 1702, was not this Act of the first of *William* and *Mary* call'd, *The Act of Toleration*, and the Exemption granted by that Act call'd, *The Toleration*? So that it seem'd strange the Doctor should not know that a Toleration had been granted by Law; and that it was more strange yet, when he himself in that very Sermon call'd the Indulgence granted by that Act the *Toleration*, in the 14th Page of his Sermon, where he was complaining of False Brethren in the Kingdom, who were permitt'd and suffered to combine into Bodies and Seminaries, wherein Atheism, Deism, Tritheism and Socinianism, and a great many other wicked Principles were taught; he concluded thus, 'Certainly, says he, *The Toleration* was never intended to indulge and cherish such Monsters and Vipers in our Bosom. What was it possible for the Doctor to mean in that Place, by the *Toleration*, But the Indulgence, as he calls it, granted to the Dissenters by the Act of 1 *Guil. & Mar.* And in the 19th Page, speaking of the Dissenters, said, 'Now they have advanced themselves from the Religious Liberty our gracious Queen has indulged them, to claim a Civil Right, as they term it, and to justify

to juggle the Church out of her Establishment by *February*
 "holling that Toleration into its Place. What
 could he possibly mean here by these Words, but
 that Toleration, or that Indulgence, which was
 granted in the time of the late King and Queen to
 the Dissenters? So that it is plain, that when he
 made, and preach'd, and publish'd this Sermon, he
 knew very well, that that Indulgence that was gran-
 ted by the Law made in the first of King *William*
 and Queen *Mary*, was commonly call'd, *The Toler-*
ation; and this Toleration granted by that Law, was
 that which the Commons in their Impeachment said
 he maintained to be unreasonable, and the Allow-
 ance of it unwarrantable.

But he must do the Doctor Justice to own, that
 Page 20 of his Sermon preach'd at *St. Paul's*, he did
 chuse these Words, referr'd to by him in his An-
 swer, viz. "I would not here be misunderstood, as
 if I intended to cast the least invidious Reflection
 upon that Indulgence the Government has con-
 descended to give them, which I am sure all those
 that wish well to our Church are very ready to
 grant to Consciences truly scrupulous; let them
 enjoy it in the full Limits the Law has prescrib'd.

That by putting in that Caution he seems him-
 self to be apprehensive his Words were otherwise in
 Danger to be esteem'd a Reflection upon that In-
 dulgence or Toleration that the Government had
 given; having just before commended the Severities
 that were used in the Reign of Queen *Elizabeth*
 against the Dissenters, which could not be spoken
 in Commendation of the Toleration, but would
 reasonably be understood to be a Condemnation of
 it, because it removed and took away those Severi-
 ties, he then subjoin'd the forementioned Passage;
 which dry Caution would not excuse him, if in the
 other Parts of his Sermon he did visibly and plainly
 condemn the Toleration, and censure it as unrea-
 sonable, and the Allowance of it unwarrantable; which
 that he did he would endeavour to prove from other
 direct and formal Passages in his Sermon.

The first he cited was in the 10th Page, in these
 Words; "So that, in all those Cases before-menti-
 oned, whosoever presumes to innovate, alter, or
 misrepre-

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misrepresent any Point in the Articles of the Faith of our Church, ought to be Arraign'd as a Traytor to our State; Heterodoxy in the Doctrines of the one, naturally producing, and almost necessarily inferring Rebellion and High Treason in the other, and consequently a Crime that concerns the Civil Magistrate, as much to punish and restrain, as the Ecclesiastical. That the beginning of this Passage was tied up to the Cases before-mentioned, *so that in all those Cases before-mention'd*, which being a term of Relation, must be expounded in Reference to what went before.

That this Passage was contained in his second Head of False Brethren, of those who were False Brethren with Relation to the State, Government or Society of which they were Members; and on Perusal thereof he did not find any one Article of the Faith of our Church before-mentioned under that Head, to which these relative Terms did refer; for all that he said before under that Head was, That the Constitutions of most Governments differing according to their several Frames and Laws, upon which they are built and founded, it is impossible to lay down any one universal Rule, as the Scheme and Measure of Obedience, that may square to every one of them: Only this Maxim in general, he presumes, may be Establish'd for the Safety, Tranquillity and Support of all Governments, that no Innovation whatsoever should be allowed in the Fundamental Constitution of any State, without a very pressing, nay, unavoidable Necessity for it; and whosoever singly or in a private Capacity should attempt it, is Guilty of the highest Misdemeanour, and is an Enemy to that Body Politick of which he is a Member.

That then the Doctor applied this Maxim to our Government, Our Constitution, saith he, both in Church and State, has been so admirably contrived with that Wisdom, Weight, and Sagacity, and the Temper and Genius of each, so exactly suited and modell'd to the mutual Support and Assistance of one another, that 'tis hard to say, whether the Doctrines of the Church of England contribute more to Authorize and Enforce our Civil

Civil Laws, or our Laws to Maintain and Defend the Doctrines of our Church. The Natures of both are so nicely Correspondent, and so happily intermixt, that 'tis almost impossible to offer a Violation to the one, without breaking in upon the body of the other: So that in all those Cases before-mentioned, whoever presumes to alter, innovate or misrepresent any Point in the Articles of the Faith of our Church, ought to be Arraign'd as a Traytor to our State, &c.

That he read this whole Paragraph to shew, that the Cases said to be before-mentioned were not contained in this Head of the said Sermon, but they were plainly contained in a former Paragraph, viz. in his first Head of false Brethren, with relation to God, Religion, and the Church in which they held Communion, under which Head the Doctor enter'd into a long Description of such kind of false Brethren, and enumerated several Articles and Rites of the Church, the Disbelievers or Deniers whereof were termed False Brethren; and amongst other of his Characters, in Pag. 8. he branded him for being false to the Interest of the Church, that gave up any Point of Her Discipline and Worship; that these were the exterior Fences to guard the Internals of Religion, without which they were left naked, without Beauty, Order or Defence; should any Man put of Ignorance, or Prejudice to the Ancient Rights and Essential Constitution of the Catholick Church, affirm, That the Divine Apostolical Institution of Episcopacy is a novel Doctrine, not sufficiently warranted by Scripture, and that 'tis indifferent whether the Church be Governed by Bishops or is not, such an one is an Apostate from his own Orders? So that one of the before-mentioned Cases of False Brotherhood was the affirming that the Divine Apostolical Institution of Episcopacy was a Novel Doctrine, not sufficiently warranted by Scripture, and that it was indifferent whether the Church should be governed by Bishops or Presbyters. That this was affirmed and held by all the Dissenters; and tho' they should be mistaken in their Opinions, yet still it was their Opinion, and they were notwithstanding tolerated, and exempted by

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by the Toleration Act from subscribing the Six and Thirtieth Article, that the Book of Consecration of Arch-Bishops and Bishops, and of the Ordination of Priests and Deacons, let forth in the Times of King Edward the Sixth, contain'd in it all things necessary to the Consecration and Ordination, and had nothing in it either Superstitious and Impious; That now notwithstanding this Innovation or Alteration of this Article of the Church by the Dissenters, the Law did nevertheless Tolerate and Indulge them.

But that the Doctor was of another Opinion, and affirm'd, That whoever Innovated, Alter'd or, Misrepresented this Point in the Articles of Faith of our Church, ought to be Arraign'd as a Traytor to the State, and ought to be punished, as well by the Temporal as the Ecclesiastical Magistrate; nay, be carried it yet a great deal further, by the Reason he gives for his Assertion, which is, Heterodoxy in the Doctrines of the one, naturally producing and almost necessarily inferring, Rebellion and High Treason in the other; and consequently a Crime that concerns the Civil Magistrate as much to punish and restrain, as the Ecclesiastical. That here was an Assertion to the purpose; that Heterodoxy, that is, the holding a different Opinion from any Article of the Faith of our Church, naturally produced, and almost necessarily infer'd Rebellion and High Treason in the State, and consequently a Crime that concern'd the Civil Magistrate to punish, as well as the Ecclesiastical. That he himself in the immediate subsequent Words, did own, That this Assertion at first View might look like an High-flown Paradox, and he believ'd it would still appear to be so upon a Review. That whosoever was of a different, or other Opinion, in any of the Articles of the Faith of the Church, was guilty of High Treason, and the Temporal as well as the Spiritual Magistrate, ought to punish him as a Traytor for it. That the Articles of the Church are in number Thirty Nine; That some of the Dissenters were, by the Act of Toleration exempted from subscribing three and a half of them, viz. the 34th Article, which related to the Traditions and

Cere.

Ceremonies of the Church, and the Power of the Church to Ordain, Change and Abolish Ceremonies and Rites: The 31st Article, concerning the Book of Homilies, and reading of them in Churches: The 16th Article, concerning the Consecration of Arch-Bishops and Bishops, and the Ordination of Priests and Deacons; and the former Part of the 20th Article, which Asserted the Power of the Church to Decree Rites and Ceremonies, and Authority in Controversies of Faith. That other Dissenters, who scruple the Baptizing of Infants, were also exempted from Subscribing that Part of the 27th Article which related to Infant Baptism; and the Quakers were exempted from Subscribing any of the Articles, and only required to Subscribe a short Declaration of the Trinity, and that the Scriptures were given by Divine Inspiration. That all these several sorts of Dissenters, notwithstanding their Heterodoxy in those Points were exempted by the Toleration Act from the Penalties of the former Laws, and by this Act preserved in the free Exercise of their Religion and Worship, and not only the Penalties inflicted on them by former Laws were taken away, but several Immunities and Privileges given them, as an Exemption of their Teachers from Parish Offices, and a Penalty for disturbing their Congregations; That now when this was Established by a Law, and that Act of Toleration was in full Force, for the Doctor to affirm, notwithstanding all this, that Heterodoxy, or a different Opinion from any of the Articles of Faith of our Church, almost necessarily infer'd Rebellion and High Treason in the State, and was a Crime that concern'd the Civil Magistrate to punish, as well as the Ecclesiastical. What could be a more direct breaking in upon, and disavowing of the Toleration than this? Was not this to maintain the Toleration granted by Law to be unreasonable, and the Allowance of it unwarrantable?

Another Passage he cited to prove the general Charge against the Doctor, was in the 16th and 17th Pages of the Sermon, *What could not be gained by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity; that is, what*
they

February. they could not do by open Violence, they will not fail by secret Treachery to accomplish. If the Church can't be pulled down, it may be blown up; and no matter with these Men how 'tis destroyed, so that it is destroyed. That in this Place the Doctor was speaking of the great Mischiefs and Perils of his False Brethren to the Church, and to prevent any mistaken Notions of the Church, he intimated, that we were to understand the true genuine Notion of it, as it stood contradistinguished in its Establish'd Doctrine, Discipline and Worship, from all other Churches and Schismatics, who would obtrude upon them a wild Negative Idea of a National Church, so as to incorporate themselves into the Body as true Members of it; whereas that Latitudinarian Heterogeneous Mixture would render it the most Absurd, Contradictory and Self-inconsistent Body in the World: And from thence he proceeded to shew that this Design of a Comprehension miscarried, and that that long projected Scheme of the Ecclesiastical *Achitophels* was blasted: ' But, says he, since this Model of universal Liberty and Coalition failed, and these false Brethren could not carry the Conventicle into the Church, they are now resolved to bring the Church into the Conventicle, which will plausibly and slyly effect her Ruine. And how is that to be done? Why, ' What could not be gain'd by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity; that is, ' what they could not do by open Violence, they ' will not fail by secret Treachery to accomplish. So that if the Church could not be pulled down by Comprehension and Toleration, it might be blown up by Occasional Conformity and Moderation; and no Matter with these Men how 'twas destroy'd, so that 'twas destroy'd. Was not this calling the Toleration an open Violence to the Church? That it was an Attempt made to destroy the Church, though the Church it self came into, and settled this Toleration? He said, That the Legislature in the Time of their late Majesties King *William* and Queen *Mary*, and particularly the Bishops, the Fathers of the Church, were very well satisfied that this Toleration granted to the Dissenters, was no way prejudicial

cial to the Safety and Security of the Church. But *February*
for the Doctor to come and say, that Toleration
was intended to pull down the Church, and that it
was an open Violence to the Church; was not this
to maintain, that the Toleration was unreasonable,
and the Allowance of it unwarrantable?

That the next Part of the Charge in the second
Article was, That he asserted that he was a False
Brother with relation to God, Religion or the Church,
who defended Toleration and Liberty of Conscience.
That these Words were contain'd in so many
express Terms in the 8th Page of his Sermon,
where after he had copiously described his False Bre-
thren, he came and Sum'd up the whole in these
Words; *If upon all Occasions to comply with the Dis-*
senters both in publick and private Affairs, as Persons of
tender Conscience and Piety, to promote their Interests
in Elections, to suek to them for Places and Preferment,
to defend Toleration, and Liberty of Conscience, and un-
der the Pretence of Moderation to excuse their Separ-
ations and lay the Fault upon the True Sons of the Church
for carrying Matters too high; If to court the Fanaticks
in private, and to hear them with Patience, if not Ap-
probation, Rail at and Blaspheme the Church, and upon
Occasion to justify the King's Murder; If to flatter both
the Dead and the Living in their Vices, and to tell the
World, that if they have Wit and Money enough, they
need no Repentance, and that only Fools and Beggars can
be Damn'd; If these, I say, are the Modish and Fashion-
able Criteria's of a true Church-Man, God deliver us all
from such false Brethren!

So that one Mark of these False Brethren, in this
Part of his Sermon, is to defend Toleration and Li-
berty of Conscience. As to this the Doctor gives
two Answers, one by way of Inference and Presump-
tion, and the other Direct; that by way of Infe-
rence is, ' That he having so plainly declared him-
' self in Favour of the Exemption granted by Law,
' when he blames those who upon all Occasions de-
' fend Toleration and Liberty of Conscience, he
' cannot be thought to reflect on the Defenders of
' that Legal Exemption or Indulgence, which he
' himself approves and defends.

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Then Sir Peter proceeds and says, Now if he had not in other Parts of his Sermon condemned the Toleration expressly, it might have pass'd for an Answer; but now, if the Doctor has more than once in other Parts of his Sermon directly inveighed against this Toleration, then his Meaning is more naturally to be understood by so many several Passages, than by one single Sentence, and with what View thrown in, the Reading of the Sermon will plainly shew; and therefore the true Way to come at the true Meaning of his Words, is to take them as they stand in his Sermon, and that is what your Lordships will judge by. In the next Place he gives a direct Answer to this Part of the Charge; which is, that he does not mean by this Description of a False Brother, those who only defend Toleration and Liberty of Conscience, and do no more; but he only blames those who upon all Occasions defend Toleration and Liberty of Conscience, and, to excuse their Separation, lay the Fault upon the true Sons of the Church for carrying Matters too high; so that I don't reckon him, says he, as a false Brother who barely defends Toleration and Liberty of Conscience, except that at the same Time that he is defending Toleration, he lays the Fault of the Separation upon the true Sons of the Church for carrying Matters too high. Now I submit to your Lordships, upon reading of this Passage, whether it is capable of such an Interpretation: If it be look'd into, it will be found that the several particular Characters there mention'd, are all of them so many particular Marks of a False Brother; it is necessary that Two or Three, or all of them meet together in one Person to make up the Character of a false Brother; but if any one of them be found in any Person, 'tis sufficient to Characterize him a False Brother; Whoever is guilty of any one of those Acts, of which defending Toleration is one, is a False Brother; and his asserting the defending of Toleration to be a Mark of a False Brother, is an evident Declaration against the Justice and Expediency of the Toleration:

This said, he comes to the next particular Charge upon him in the second Article, for asserting, 'That
Queen

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Queen Elizabeth was deluded by Arch-Bishop Grindall, whom he scornfully call'd a False Son of the Church, and a perfidious Prelate to the Toleration of the Genevian Discipline. He said this Charge upon him was founded on those Words of his Sermon, in the 19th Page; *Have they not, ever since their first unhappy Plantation in this Kingdom, by the Intercession of that False Son of the Church, Bishop Grindall, always improved, and rise upon their Demands in their Permission of the Government? Inasmuch that Queen Elizabeth, that was deluded by that perfidious Prelate to the Toleration of the Genevian Discipline, found it such an Headstrong and Encroaching Monster, that in Eight Years She foresaw it would outlanger the Monarchy as well as the Hierarchy; and like a Queen of true Resolution and pious Zeal for both, pronounced, That such were the restless Spirits of that factious People, that no Quies was to be expected from them, till they were utterly suppressed: Which, like a prudent Princess, she did by Wholesome Severities, that the Crown for many Years sat easy on her Head.*

As to that part of the Charge where he said, That Queen Elizabeth was deluded to the Toleration of the Genevian Discipline by Arch-Bishop Grindall, the Doctors Answer was, That he humbly conceives he hath good Authority from the Histories and Monuments of those Times for such Assertion; but whether he hath, or hath not, he humbly apprehends such Assertion to be no Proof of his Maintaining or Suggesting, That the Exempting of Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws, granted by an Act made in the first Year of the Reign of King William and Queen Mary, (which Exemption he supposes to be intended by the Legal Indulgence, or Toleration granted to Dissenters mention'd in the Preamble of the Articles, and by the Toleration granted by Law mention'd in this Second) is unreasonable, or the Allowance of it unwarrantable.

Upon this Sir Peter tells their Lordships, It might not perhaps be difficult to shew that there were some Mistakes in that Fact, but whether there were or no, would not now be worth spending their Lordships

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ships Time; for he did agree with him, That the material Point was what he put it upon, whether that Assertion, as printed and delivered by him in his Sermon, was a Censure or Condemnation of the Toleration Act. Now whether it were so or no, would appear by taking the whole Clause together. That this Passage was in the 19th and 20th Pages, and was in that Part of his Sermon where he was shewing the great Perils and Mischief of his False Brethren to the State, and that they were destructive to our Civil Rights and Liberties; and in the Pursuit of his Argument he plainly shewed that the False Brethren there meant were the Dissenters, who were Tolerated by this Act of Parliament. These False Brethren, says he, have now advanced themselves from the Religious Liberty our Gracious Sovereign has indulged them, to claim a Civil Right, and to juggle the Church out of her Establishment by holding their Toleration into its Place. So that 'tis plain, these False Brethren here spoken of are the Dissenters, those who have the Benefit of the Toleration Act. And then he goes on, And to convince us what alone will satisfy them, insolently demand the Repeal of the Corporation and Test Acts, as an Ecclesiastical Usurpation; which indeed under Her Majesty (whom God long preserve for its Support and Comfort) is the only Security the Church has to depend upon; and which they have so far eluded by their Abominable Hypocrisy, as to have undermined her Foundations, and endanger the Government, by filling it with professed Enemies. These Charges are so flagrant and undeniable, that a Man must be very weak, or something worse, that thinks or pretends the Dissenters are to be gain'd or won over by any other Grants and Indulgences, than by giving up our whole Constitution. And he that recedes the least Tittle from it, to Satisfy or Ingratiate with these Clamorous, Insatiable and Church-devouring Malignants, knows not what Spirit they are of, or he ought to shew who is a true Member of our Church.

That

That these Passages he had read to show that these *February* False Brethren here spoken of, were the Dissenters, who were now Tolerated by the Law granted to them in the Time of King *William* and Queen *Mary*; and of these Dissenters follows this Passage: 'Have they not, ever since their first unhappy Plantation in this Kingdom, by the Intercession of that False Son of the Church, Bishop *Grindall*, always improv'd, and rise upon their Demands in the Permission of the Government? Infomuch, that Queen *Elizabeth*, that was deluded by that perfidious Prelate to the Toleration of the *Genevian* Discipline, i. e. the Discipline and Polity of the Dissenters, so called, because taken from *Geneva*, found it such a Headstrong and Encroaching Monster, that in Eight Years she foresaw it would endanger the Monarchy, as well as the Hierarchy; and, like a Queen of true Resolution and pious Zeal for both, pronounc'd. That such were the restless Spirits of that Factious People, that no Quiet was to be expected from them, till they were utterly Suppress'd; which, like a prudent Princess, she did by Wholesome Severities, that the Crown for many Years sat Easy and Flourishing on her Head.

That in this memorable Passage he represented Arch-Bishop *Grindall* as a False Son of the Church, and a perfidious Prelate, for deluding the Queen into a Toleration of the *Genevian* Discipline. Whether that Fact was true, or not, was not material to the Purpose; but this was, that he charg'd it for a Fault on the Arch-Bishop, and for which he called him a False Son of the Church, and a perfidious Prelate, for inducing the Queen to give a Toleration to the Dissenters in those Days: That that Fault was not, that it was a Regal Toleration only, but the Fault was in the Toleration it self, in consenting to a Liberty to the Dissenters. Now what was this in Effect, but to preach to the whole World, That the Parliament were in the wrong to grant a Toleration to the Dissenters; That the Lords and Commons, who consented to the Toleration were not true Sons of the Church; And that the Bishops, who were for Tolerating the Dissenters, were nei-

February. ther Fathers nor Sons of the Church, but corrupt and perfidious Prelates?

That this Character of Arch Bishop *Grindall* was design'd for a Censure of the present Toleration, would appear more fully by the contrary Character he gave of Queen *Elizabeth*; he commends her Resolution and pious Zeal for the Monarchy and Hierarchy, in declaring that no Quiet was to be expected from the restless Spirits of that factious People, till they were utterly Suppress'd; which, like a prudent Princess, she did with Wholesome Severities, that the Crown for many Years sat Easy and Flourishing on her Head. Now what could the *English* of all this be, but to inflame the Government against the Dissenters? What could be said more prevalent for this purpose, than to recommend the Severities used in Queen *Elizabeth's* Reign, because they were Wholesome in themselves, and of happy Consequence to the Person and Government of that Renowned Queen. To give a short View of these Wholesome Severities; he said some Hereticks were burnt, other Persons were hang'd, some had their Goods Confiscated, others had their Persons imprison'd; and to mention more particularly a publick Act in Writing that could not be falsified or misrepresented, and which was since relax'd by the Toleration Act, an Act pass'd in the 35th Year of Queen *Elizabeth*, Intitul'd, *An Act to retain the Queen's Majesty's Subjects in their due Obedience*; by which the Dissenters were, among other Penalties, to Abjure the Realm in Forty Days, or suffer Death without Benefit of the Clergy.

That this Penalty of Abjuration of the Realm was taken from the ancient Common Law of *England* in relation to Felony, by which if a Man committed any Felony, excepting Sacrilege, and fled to a Parish Church, he might within Forty Days before the Coroner confess the Felony, and take an Oath to Abjure the Kingdom for ever; and if he thus confess'd and took that Oath, he was thereby Atainted of the Felony, and then he had Forty Days from the coming of the Coroner to provide and prepare for his Voyage, and the Coroner assign'd him such a Port as he chose for his Departure out of the King-

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Kingdom; and if he did not go straightway out of the Kingdom, or being gone out did return without Licence, he had Judgment to be Hang'd, except he was a Clerk, and then he had his Clergy.

That this Practice was what the Law call'd Abjuration, and being by several Regulations in the Time of Henry the Eighth effect taken away, the Revival of this Practice was thought to be a Wholesome Severity, fit to be inflicted on the Protestant Dissenters of those Times, and therefore the 35th of Queen Elizabeth did Enact, That if any Person obstinately refusing to repair to some Church or Chapel, or usual Place of Common Prayers, and forbearing by the space of a Month to hear Divine Service, should after Forty Days after the End of that Session of Parliament willingly join or be present at any Conventicle or Meeting, under pretence of Religion, contrary to the Laws and Statutes of the Realm, that then such Person should be committed to Prison till he should conform and come to Church; and if within three Months after Conviction he should not conform and come to Church, and make his publick Confession and Submission, being thereunto required according to the Form of the said Act, that then such Offender should Abjure the Realm; and if, being thereunto required, should refuse to make such Abjuration, or after such Abjuration made, should not within the Time appointed him depart the Realm, or after such Departure should return without the Queen's License, then, in every such Case, every Person so offending should be a Felon without Benefit of Clergy. So that the Abjuration inflicted on Protestant Dissenters by this Act, was worse than Abjuration for Felony at the Common Law; in that they had the Benefit of Clergy, in this they had not.

That this was one of the Severities of Queen Elizabeth's Reign, whether it was a Wholesome Severity or not, Human Nature would determine; that however Wholesome it might have been esteem'd in those Days, by those who had the Power and Will to punish others, yet the Legislature have, in terminis, declar'd it Unwholesome for these Times, and

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Toleration Act did expressly and by Name exempt the Protestant Dissenters from the Penalties of this Act of the 35th of Queen Elizabeth.

Now when the Toleration Act had granted this Exemption, for the Doctor to come and publicly represent an Arch-Bishop as a False Son of the Church, and a Perfidious Prelate, for being for the Toleration of Dissenters in his Time, and at the same Time recommend the Resolution and pious Zeal of Queen Elizabeth, for declaring that she would utterly Suppress them, and her great Prudence in exercising Wholesome Severities against them, which were of happy Consequence to her Person and Government; What could be said more against the Toleration Act, than this is? The Toleration Act exempts the Dissenters from the Penalties and Severities inflicted in Queen Elizabeth's Reign; the Doctor Recommends them all again, as wholesome and necessary. Let any Person judge whether this is not an express Declaration against the Toleration Act.

Sir Peter proceeded and said, There was yet one thing more charged upon the Doctor in that Part of the Second Article, viz. That he scurrilously calls Arch-Bishop Grindall a False Son of the Church, and a Perfidious Prelate, for deluding Queen Elizabeth to the Toleration of the Geneva Discipline. Whether this, consider'd abstractedly by it self, was in Law a Crime, or not, was not necessary for him here to examine. The Doctor conceived, that no Words spoken of an Arch-Bishop, above One Hundred and Twenty Years since deceased, would in Construction of Law amount to an High Crime and Misdemeanor: Whether it was so or not in it self, he should say nothing of at present, because he took it, that this was only taken notice of as an Aggravation of the Crime charged upon him, and to shew his Zeal against the Toleration; that he was not contented with Censuring the Toleration it self, but raked into the Ashes of an Arch-Bishop, that had been in his Grave a Hundred and Twenty Years, and blacken'd his Memory because he was for the Toleration of those People, who were now by Law tolerated.

Then

Then he took upon him on that Occasion to say
a Word or two to the Memory of that Archbishop.
The Doctor said he was under the Displeasure of
Queen *Elizabeth*; that was very true, and he pre-
tended the Occasion of his being under her Displea-
sure, was for permitting Innovations to be introduced
upon the Church, that those Innovations were no
other than what several other Bishops at the same
time likewise practised, and some Bishops since had
done not much unlike; it was for encouraging the
Meetings and Exercisings in those Days, call'd Pro-
phesyings, which were Meetings of the Clergy to
improve one another in the Knowledge of the Scrip-
tures, and tended to make a learned and Industrious
Clergy. That this was misrepresented to the Queen,
and was the visible Cause of his Disgrace: But that
the true Reason of it, as Historians say, sprung
from the Hatred of the Earl of *Leicester*, who was
then in great Power and Credit with the Queen, and
her great Favourite. That this Earl of *Leicester* cast
a Covetous Eye upon *Lambeth House*, and would
have had the Archbishop to have alienated it, but he
would not comply with him; which, as the Histo-
rian says, made the *Leicesterian* Party to Malice him.
That the Earl was likewise provoked and incensed
against him for another Reason, viz. for prosecuting
one *Julio*, a Physician of the Earl's, an *Italian* Phy-
sician, for having two Wives, one of which was
the Wife of another Man, with whom he liv'd in
Adultery; that for these two Offences against the
Earl of *Leicester*, who bore a mighty Power at
Court with the Queen at that time, was this Storm
raised against him. But that for his Life and Do-
ctrine the Archbishop was one of the most pious,
learned and considerable Prelates of that time. That
it was very true that he was one of those Bishops
that look'd upon the Exercises used in those Times
by the Clergy, call'd Propheisyings, to be very ne-
cessary for their Improvement, and for the Benefit
of the Church; and some of the best Bishops of
those Times concurr'd with him in the same Opi-
nion. That he was a Man of a most Exemplary
Life and Conversation, free from the Suspicion of a
Crime. That in his younger Days he was Chap-
lain

lain with Rogers and Bradford to Ridley Bishop of London, who gave this Character of him, That he was known to be a Man of Virtue, Honesty, Discretion, Wisdom and Learning. That in the Persecution under Queen Mary, when his Master and Fellow-Chaplains were burnt for Religion, he became an Exile on the same Account, and quitted his Ease, Preferments, and Hopes at Home, to enjoy the Liberty of his Conscience in a Foreign Country, and went to *Strasburg*; and when the famous Troubles began at *Frankfort*, about the use of the *English* Service, where the Foundations were laid of the Divisions that have since divided and rent the Church, he was so far from disliking the *English* Method, that he went from *Strasburg* to *Frankfort* to encourage and persuade the Congregation there to submit to the *English* Establishment, and he himself stuck close to it all his Life-time: That at his coming home in the beginning of the Reign of Queen *Elizabeth* he had a great Hand, and was very instrumental in preparing the Liturgy and Book of Common Prayer; and the first time that the *English* Service Book was introduc'd at *St. Paul's* in *London*, the Privy-Council and great Officers of State, for the greater Solemnity, came to *St. Paul's*, and *Grindall* was appointed to preach to that great Audience upon that solemn Occasion: That he was one of the first five Bishops made by Queen *Elizabeth*, and the first Bishop of *London*, afterwards Archbishop of *York*, and last of all Archbishop of *Canterbury*; and when that afterwards, by the Earl of *Leicester's* Artifice, he was out of Favour, and under the Queen's Displeasure, yet he had so great an Interest in the Clergy, and their Esteem of him was so extraordinary, that even whilst he was under Disgrace at Court, and the Displeasure of the Queen, a considerable Number of the Convocation then met, presented an Elegant Petition in *Latin* to the Queen to restore him, wherein they represented to her Majesty that the Archbishop had led a Life free, not only from all Crime, but even from the Suspicion of a Crime; that he had preserved his Religion from all, not only Corruption of Popery, but Schism, and had suffered Persecution for Righteousness sake, having

ving wonder'd about his other Complaints in the Cause of the Church; and that therefore they must humbly beseege her Majesty, not only to lift up the Archbishop, broken with Grief, but to restore the Church to the Archbishop, and the Archbishop to the Church, to her Subjects, to his Brethren, to Foreign Nations, and in a Word, to all pious People. That these were the Thoughts of the Clergy of the Archbishop at that time, even when he was under the Displeasure of the Queen, so that there was no Reason for the Doctor to asperse him as a False Son of the Church, or a Perfidious Prelate, for it appeared on the contrary, that he was a Man universally esteem'd for his Virtue, Piety and Learning.

Sir Peter came now to the last Charge of this Article, viz. that the Doctor asserted, ' That it is the Duty of Superior Pastors to thunder out their Ecclesiastical *Anathemas* against Persons Intituled to the Benefit of the Toleration; and insolently dares or defies any Power on Earth to reverse such Sentences.

To which the Doctor gives this Answer, ' That the Persons Intituled to the Benefit of the Toleration are not by him mentioned or intended; but if these Expressions in his Sermon must be determined to any one sort of Persons, he conceives that the Connexion of his Discourse will determine them to those Schismatical and Factionous Persons who take Permission for Power, and advance Toleration immediately into an Establishment.

Now be it so, continues the Manager, that he means those Schismatical and Factionous Persons, the next Question, which will set this matter in a clear Light, will be, who those Schismatical and Factionous Persons are, who take Permission for Power, and advance Toleration immediately into an Establishment; and it is plain from the Passage it self, which is in Page 25 of the Sermon, that he means the Dissenters, those who are Intituled to the Benefit of the Toleration.

' If our Dissenters, saith he, had lived in the times of St. Paul, they would have branded him as an intemperate, hot, furious Zealot, that wanted to be sweetned by the gentle Spirit of Charity and
[Mo-

February.

• Moderation for both; Schism and Faction are
 • Things of Impudent and Increasing Nature;
 • they thrive upon Concessions, take Permissions for
 • Power, and advance a Toleration immediately
 • into an Establishment, and are therefore to be
 • treated like growing Mischief, or infectious Plagues,
 • kept at a distance, lest their deadly Contagion
 • spread: Let us therefore have no Fellowship with
 • these Works of Darkness, but rather reprove them;
 • let our Superior Pastors do their Duty in thunder-
 • ing out their Ecclesiastical Anathema's, and let
 • any Power on Earth dare Reverse a Sentence rati-
 • fied in Heaven. And indeed the Doctor doth, in
 • the following Part of his Answer, in effect own it;
 • for saith he;

• As to the last Part of the Second Article, where-
 • by the said *Henry Sacheverell* is charg'd with insol-
 • ently daring or defying any Power on Earth to
 • reverse the Ecclesiastical Sentences there mentio-
 • ned: He the said *Henry Sacheverell* saith, that the
 • Sentence which he the said *Henry Sacheverell* dares
 • any Power on Earth to reverse, is such, and such
 • only, as is ratified in Heaven, and such Sentence
 • he still affirms to be by any earthly Power irrever-
 • sible; and hopes it will not be thought Insolence
 • in him to affirm, what he conceives would be
 • Blasphemy in any one to deny; and doth farther
 • acknowledge himself firmly to believe that some
 • Sentences pronounced by the Pastors of the Church
 • are ratified in Heaven; and that some Persons ex-
 • empted from Punishment by the particular Laws
 • of the Land, may yet by the Laws of Christ be
 • justly liable to such Sentence; and that Schism,
 • or a causeless Separation from a Church enjoying
 • no sinful Terms of Communion is a Sin, which
 • exposes the Person guilty thereof to the Censures
 • of the Church.

• Sir *Peter* upon this said, that the House of Com-
 • mons charged the Doctor with Insolence, in daring
 • or defying any Power on Earth to Reverse the Ec-
 • clestiaistical Sentences mentioned in his Sermon, and
 • he by Insinuation retorted upon them the Charge
 • of Blasphemy: That this the House of Commons
 • thought they had reason to resent, and to call upon
 • their

their Loyalty, the *separation* of her
from the Church, is to their *disadvantage*, but they
it to their *disadvantage* in what manner they would
think fit to do their Justice, in vindicating them
against such a Charge. But that as to this Passage
now before them, he affirmed, that some Sentences
pronounced by the Pastors of the Church were ex-
ecuted in Heaven; that some Persons exempted from
Punishment by the Laws of the Land might yet
by the Laws of Christ be liable to such Sentence;
and that Schism, or a careless Separation from a
Church enjoying no sinful Terms of Communi-
on, is a Sin, which exposes the Person guilty there-
of to the Censures of the Church. Now what
was this but to say, The Dissenters carelessly sepa-
rated from the Church, which imposed no sinful
Terms of Communion, and so were guilty of Schism;
though the Law of the Land did exempt them from
Punishment for this Schism, yet for this Sin they
were exposed to the Censures of the Church; that
those Censures, when inflicted were raised in Hea-
ven; that therefore, notwithstanding the Law of
the Land had given them this Exemption, let the
Ecclesiastical Superiours do their Duty in thunder-
ing out their Anathemas against them, and let any
Power upon Earth dare to Reverse their Sentences
if they can. That as to the Power of the Church
in Censuring or Excommunicating, it was not ne-
cessary for him to say any thing of it upon this Oc-
casion: But that the Doctor was a Minister of the
Church of *England*, who had submitted to the
Queen's Supremacy, and by the Canon was bound
to maintain and preach the Queen's Supremacy;
her Majesty is Supreme over all Causes and over all
Persons, as well Ecclesiastical as Civil; and by an
Act of Parliament made since her Majesty's happy
Accession to the Crown, viz. the Act relating to her
Majesty's Bounty for the Augmentation of the
Maintenance of the poor Clergy, she is owned and
Recognized to be the only Supreme Head on Earth
of the Church of *England*; that her Majesty had
by Law a Supreme controuling Power over all the
Censures and Excommunications of the Church;
that this Power she Exercised according to the
Rules

February. Rules of Law by her several Officers and Ministers of Justice. That the Exercise of the Church's Censures, Jurisdiction and Power must be according to Law; and if any Person should be Excommunicated against Law, the Queen's Courts might and would Command the Ecclesiastical Judge to absolve such Excommunicated Person, and restore him to the Communion of the Church again: That this was the Supremacy of the Queen, which was the Doctrine of the Church of England; and by Virtue of this Supremacy, if any Judge of the Spiritual Court should pretend to excommunicate any of the Dissenters for any thing which by Law they were not obliged to do, or which by Law they were excus'd, or exempted from, the Courts of Justice in *Westminster-Hall* would in such a Case award a Prohibition, and compel the Ecclesiastical Judge to absolve him. That suppose that notwithstanding the Toleration Act, a Dissenter should for not coming to the Church be sentenced in the Spiritual Court by the Judge there, or be proceeded against there, in order to an Excommunication; a Prohibition would lye to that Judge from the Queen's Courts upon the said Act, and the Courts of Common Law would prevent him from such Proceeding; and if Sentence be past, would compel the Judge to annul the Excommunication, and receive the Party again. Now, for the Doctor to come and say, that, though the Dissenters are tolerated by this Act of Parliament, and though they are exempted by Law from Penalties, yet let the Law of the Land be what it will, let the Ecclesiastical Pastors do their Duty; let them fulminate their Excommunications, and thunder out their *Anathemas*, and let the Civil Magistrate, the Earthly Powers, dare to reverse them, if they can. He concluded thus, I submit this to your Lordships, whether this is not directly impugning the Queen's Supremacy, as well as weakening and censuring the Toleration, which is what he is charged with in this Article.

Lord
William
Pawlet's
Speech to
the Second
Article.

My Lord *William Pawlet* was the next that spoke to the Second Article, and said, It had always been esteem'd one of the happy Consequences of the late Revo-

Revolution, that Her Majesty's Protestant Subjects by a Legal Indulgence granted as Dissenters were united in Interest and Affection, in the Defence of Her Majesty's Sacred Person and Government. That it was too well known how in former Times, when Popery had almost prevail'd in the Ruin of the State and Church, the Protestants of the Kingdom were, by the Artifice of Papists, set against each other, that by such Divisions Popery might be established among us. That the Act of Parliament made in the first Year of the Reign of King William and Queen Mary, to exempt Protestant Dissenters from the Church of England from the Penalties of certain Laws, was made to prevent any such future Attempts of the Papists; The Preamble of the Act declaring, that *some Base and pernicious Conspiracies in the Breach of Religion, might be an effectual Means to unite their Majesties Protestant Subjects in Interest and Affection.*

We have seen, my Lords, continued he, the good Effects of the Legislature in making this Act, Her Majesty's Protestant Subjects are now all easy under Her Administration; and how many Dissenters have we seen, who since the Toleration are become sincere Converts to the Church. And I may say, that by this Toleration the Prejudices of the Dissenters in general wear off, and their Number daily decreases. And yet with what Odious Colours, and Language unbecoming a Divine, does the Doctor paint out this Toleration, and how does he factiously endeavour to excite and stir up People against it?

'Tis, my Lords, a poor Shift which the Doctor makes in his Answer, that he knows of no Toleration granted by Laws; and yet in the same Answer he owns there is an Indulgence which the Government hath condescended to give Dissenters. My Lords, The Word *Indulgence* is no more in the Act of Parliament than the Word *Toleration*; and it is well known that the Act of Parliament he alludes to is every where, not only in Courts of Justice, but even in Parliament, called *The Toleration Act*; and is frequently so called by your Lordships, in the Account of your Lordships Proceedings in Parliament

in

Speech The Relation to the Bill which Account was Published and Printed by their Lordships Order.

When the Doctor says, that he has not been able to inform himself that a Toleration hath been granted by Law, it plainly seems to import, as all the Doctor doubted of the Authority of the Parliament that made that Law: it looks like the common Sophistry of Papists and Jesuits, who pretend to own the Church of England as by Law Established; because they disown the Authority of all our Laws made since the Reformation.

My Lords, Her Majesty hath always been pleased graciously to declare She will defend this Toleration, and this Her Gracious Resolution has, among the innumerable Blessings of Her Reign, united all Her Protestant Subjects in their Loyalty and Duty to Her. And then he concluded, That the Commons rested assured that their Lordships would always assist those Gracious Purposes of Her Majesty; and that as there could hardly be any Instance given of so Seditious and Bare-faced an Attempt against the Peace and Quiet of the Kingdom, as the Doctor had been guilty of, So their Lordships would, by an Exemplary Punishment suitable to so high a Crime, vindicate the Authority of Parliaments; and give an effectual Discouragement for the Future, to all such Turbulent and Seditious Preachers.

*Mr. Cowper's
Speech to
the Second
Article.*

Mr Cowper being the last that was appointed to speak to the Second Article, he told their Lordships It was unnecessary at that Time to urge all the Arguments which might be made use of, to justify the Reasonableness of the Toleration granted to the Protestant Dissenters, by Exempting them from the Penalties of certain Laws. It might suffice to say, that that Indulgence was required from us as Christians, and as we were Men professing Humanity and Good-Will towards one another. That whoever maintain'd, that the Toleration was unreasonable, and the Allowance of it unwarrantable, seem'd necessarily to assert, that the Exemption granted to Her Majesty's Subjects, from the Penalties of former Laws, ought to be re-assumed; unless we were

to suppose, that it could be reasonable to allow what was unwarrantable. This Assertion therefore evidently Arraign'd the Act of Toleration, a Law then in being, a Law by which the People (throughout the whole Series of that dangerous War) had been more firmly United in Interest and Affection, than formerly; he meant in the Days when the Penalties of those Laws were insisted with Intemperate Zeal.

He told their Lordships that before he would proceed to make good the Charge contained in the Second Article, he must beg leave to take notice of the Introduction to the Prisoner's Answer: It seem'd he could not, upon the most diligent Enquiry, be able to inform himself that a Toleration had been granted by Law. That he took the Stat. 1 Will. and Mar. which exempted Dissenters from the Penalties of former Laws, amounted to a Legal Indulgence, or Grant of Liberty of Conscience; for by that Repeal a Liberty was given, which was before restrained, so that without Impropriety it might be said that Toleration was granted by Law. That he found Dr. Sacheverell had rather it should be call'd an Exemption, for no other Reason, that he could see, but because he had not said much, if any thing, of the Word *Exemption* in his Sermon, how free soever he had made with the Toleration.

Now taking it for granted, continued Mr. Cooper, (as I think with Reason I may) that Indulgence, Toleration, or Exemption from Penalties, signifies one and the same thing) especially as ordinarily made use of amongst us.) Can any thing be more plain, than that many Passages in this infamous Libel cast black and odious Reflections upon the Toleration? They have been all read, and for fear (after what has been already said) of being too tedious, I will mention one only. The Words are these,

What could not be gain'd by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity; that is, what they could not do by open Violence, they will not fail by secret Treachery to Accomplish. If the Church cannot be pulled down, it may be blown up; and no matter with these Men how it is destroy'd, so it is destroy'd, &c.

February.

Pray, my Lords, Is it reasonable to allow Toleration, or rather is not the Allowance of it nowarrantable, if it was the open and violent Means to the use of to destroy the Church of England? And is not this a most uncharitable Censure, highly reflecting upon the Act of Toleration, and the Legislative Authority? Is not this maliciously and falsely suggested, with a wicked and seditious Purpose, to create Jealousies and Misunderstandings amongst her Majesty's People? He added that Comprehension and Toleration were represented as open Violence, Moderation and Occasional Conformity as secret Treachery, by which the Church might be blown up, though it could not be pulled down by the violent means of Comprehension and Toleration.

The *Amirablist*, said he, throughout that Paragraph was so very plain, that he hop'd it was not one of those mentioned in the Doctor's Answer to carry a dubious Sense. That the Prisoner seem'd to have taken care to explain himself, for fear his Meaning should have been doubtful; and therefore after having said, *What could not be gained by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity*; then he adds, *That is, what they could not do by open Violence, they will not fail by Treachery to Accomplish*. That having thus inveigh'd against the Toleration, with much ill Nature and Bitterness of Spirit, he was pleas'd in the next Place to Assert, That he was a False Brother with relation to God, Religion, or the Church, who Defended it.

That this Answer to that Branch of the Second Article was long, and, as he apprehended, seem'd Evasive. First there was a Difference again taken between Toleration and Liberty of Conscience, and an Exemption or Indulgence; and under that Distinction, which, for the Reasons he had mentioned, was a Distinction without a Difference, the Doctor took the liberty to maintain and justify, that he was a False Brother who defended Toleration and Liberty of Conscience.

He must own he endeavour'd to Evade the Charge, by saying he meant those only, who at the same time they defended Universal Toleration and Liberty

ty of Conscience, and also excuse the Separation, and lay the Fault upon the True Sons of the Church, by carrying Matters too high. Whatever he was pleased to say he meant, in Answer to that part of the Article, surely no such Meaning could be collected from his Sermon; throughout the whole Label, he presumed to say there was not one Word of Universal Toleration, or Universal Liberty of Conscience; that this was another kind of Toleration, never heard of, till it was new Coined, in order to extenuate his vile and uncharitable Assertions.

That here he was pleas'd to sum up the Modish *Criteria's*, as he termed them, of a True Churchman in a figurative and ironical Manner, and plainly asserted they were the several Characteristicks of a False Brother; amongst the rest, to defend Toleration is said to be one; and under pretence of Moderation to excuse their Separation (i. e.) of the Dissenters, of whom he had next before spoken, was another; and he concluded the Paragraph with this pathetick Expression, *God deliver us from such False Brethren.*

That having thus treated those who defended Toleration, his Superior Pastors were in the next place to be Admonished of their Duty, which was to thunder out their Ecclesiastical Anathema's against the Persons entitl'd to Legal Indulgence, which Anathema's were stiled Sentences ratified in Heaven, and such as no Power on Earth durst reverse. He would not be thought to say, that Sentences ratified in Heaven could be Reversed by the Powers of this World. But that if Dr. Sacheverell were a Superiour Pastor, and should Anathematize, or, in plain *English*, Curse and Sentence all those who enjoyed the Benefit of Toleration, to Damnation, he must excuse him if he could not believe that such a Sentence would be ratified in Heaven. And as to any Ecclesiastical Censure not Ratified in Heaven, it was down right Insolence to say, there was no Power upon Earth that can reverse it.

But since our Superior Pastors would exercise a truly Christian and Noble Spirit of Charity and Moderation, and indulge scrupulous Consciences,

February. the Doctor was pleas'd however to bear his Testimony against it, and was not contented with delivering over to Satan those only who enjoy'd the Indulgence, but they who defended Toleration must also bear them Company.

His indeed is a very comprehensive Anathema, and is conceived in these Words, viz. *And as he chose it in this World, appoints him in the next his Portion with Hypocrites and Unbelievers with all Lyars, that have their part in the Lake, which burns with Fire and Brimstone, with the Grand Father of Falshood, the Devil and his Angels. And so here we leave our False Brethren in the Company they always keep Correspondence with.*

This, my Lords, is a most dreadful Unchristian Sentence, a Sentence so Barbarous, so Astonishing, that I am at a loss to imagine, how it could enter into the Mind of Man to conceive it.

Perhaps, my Lords, it may be equally dangerous to defend the Ashes of the Venerable Prelate Archbishop Grindall; he, it seems, was a false Son of the Church, and a perfidious Prelate, because he deluded Queen Elizabeth to a Toleration of the Geneva Discipline; here we may observe the Doctor's great Aversion to all kind of Toleration. Methinks, for the sake of the Reformation, better Language should have been given, and more decent Expressions should have been bestowed upon a Man we all know bore so considerable a part in the Establishment of it. Here likewise, continued he, we may observe the Doctor's Inclination to wholesome Severities, such as Queen Elizabeth made use of, which were such as I hope will never be seen more in this Kingdom; and by the way, what a Spirit is this Man of, who can find nothing to commend in the Reign of that Glorious Queen, but the blackest and worst part of it?

He added that he could not agree, that these harsh Expressions, as the Answer own'd they were, were the rather to be excused, because the Remains of the Archbishop were so long since deposited, especially when they considered that his Memory had been had in the highest Esteem and Veneration by all the Reformed Churches in Christendom, from that

that Time down to the Fifth Day of November last. *February.*
 For his own part he thought it very immoral to cast
 Reflections upon the Dead, how ill soever they
 might have deserved from us; and the longer a
 Man had been so, in his Opinion, rather aggravated
 than lessen'd the Immorality.

He was free to own, he whose Morals will per-
 mit him to reflect upon the Departed, was not
 therefore to be Impeached for it, as for an High
 Crime and Misdemeanor; but that was not the
 present Case. That Archbishop *Grindal* was thus
 severely treated upon a Supposition he deluded
 the Queen to a Toleration, and all the hard Words
 which were falsely and unreasonably bestowed upon
 him, were evidently levell'd at the present Tola-
 ration, and designed maliciously to Asperse and Tra-
 duce it, by representing it as injurious to the Cha-
 racter of all concern'd in it, dangerous to her Ma-
 jesty, and destructive to the Constitution both in
 Church and State.

That by these Means, and others, (if possible
 worse than these) one part of the People through
 groundless Fear and Jealousy, unreasonably and ma-
 liciously instilled, were to be stirred up to Arms and
 Violence; others, upon the Peril of Damnation,
 were not so much as to utter one Word in Defence
 of Toleration; whilst the third and last part were
 to have the Doctor's wholesome Severities executed
 upon them. That it was too notorious that this In-
 cendiary, for so the Articles of the Commons of
Great Britain had call'd him, had already stirred up
 unaccountable Feuds and Quarrels throughout the
 Nation; that the Commons were too sensible of it,
 and had therefore brought the Offender before their
 Lordships in Justice and in Judgment.

That many were the Seeds of Sedition which he
 had Sown, and the Fruit to be expected was Civil
 Discord and Confusion, unless some Remedy should
 be applied to prevent it. He concluded, that the
 Commons, for her Majesty's Safety, and for the Se-
 curity of the Constitution, had thought it absolute-
 ly necessary to bring him to answer for these High
 Crimes and Misdemeanours before their Lordships
 Tribunal, conceiving his Offences to be of so Exor-
 bitant

February.

bitant a Nature, that they deserved the Solemnity of that Proceeding.

The Lords hereupon adjourning to their own House, and we having brought the Proceedings of Parliament in relation to the Trial of Dr. Sacheverell and other co-incident Matters to the end of this Month, we are not to omit some other Parliamentary Affairs at Home, before we proceed to Foreign Affairs; and first, Mr. Medley on the ad reported from the Committee to whom the Consideration of the Petition of several Merchants in the City of London and Liberties of Westminster, in behalf of themselves and the rest of that Trade, and several other Petitions was referred, the Matter as it appeared to them, and the Resolutions of the Committee thereupon, which he read in his Place, and afterwards delivered them in at the Table, where the same were read, and are as follow:

1st. That it is the Opinion of this Committee, that by reason of the frequent Publick Mourning, many thousands of Families employed in the Silk and Woollen Manufactures of this Kingdom have lost their Trades and Employments, and are become an insupportable Burthen to the Parishes wherein they inhabit; and if a speedy Remedy be not applied, it will endanger the Loss of the Silk Manufacture so beneficial to this Kingdom, and at last center in a Foreign Trade.

2^{dly}. That it is the Opinion of this Committee, that the House be moved for Leave to bring in a Bill for ascertaining and limiting the time of Publick Mourning. Whereupon it was Ordered, That Leave be given to bring in a Bill for ascertaining and limiting the time of Publick Mourning.

Resolutions
about Ways
and Means
to raise
the Supply.
6.

Four Days after Mr. Farrer reported the Resolutions taken in the Committee of the whole House about Ways and Means to raise the Supply, the most material of which were as follows, viz. That New Duties of Excise be laid upon all excisable Liquors in Great Britain, over and above all other Duties now payable for the same; that the said new Duties be granted for the Term of Thirty two Years, to commence from Lady day, One thou-

thousand seven hundred and ten; That a new Duty of One Shilling and Six Pence per Pound Weight, be laid upon all Pepper imported into Great Britain, to be paid by the Importers thereof, over and above all other Duties, now payable upon the same, be granted for the said Term of Thirty two Years. That a new Duty of Five Shilling per Hundred Weight, be laid upon Reasens, and the present Duties upon Cinnamon, Cloves, Mace and Nutmegs, doubled, for the like Term of Thirty Two Years, to commence from that Day. That a clear yearly Fund of Ninety Thousand Pounds be charged upon, and made payable out of the said new Duties, for the aforesaid Term of Thirty Two Years from Michaelmas, One thousand seven hundred and ten, for the Service of the Year, One thousand seven hundred and ten. That a new Duty be laid on all Candles, of what kind soever, to be made in Great Britain, or imported into the same, to be paid by the Makers or Importers. That a Duty be laid on all Money to be paid or given with Apprentices or Servants to learn any Profession, Trades or Employments in Great Britain, except such Apprentices or Servants as shall be put or placed out at the Charge of any Parish or Township, or by any publick Charity. That the said Duty be Six Pence in the Pound for every Sum of Fifty Pounds, or under, and one Shilling in the Pound for every Sum exceeding Fifty Pounds so given or paid, to be paid by the Master or Mistress.

And that the Duties last mentioned be granted for the Terms of Five Years:

Which Resolutions were agreed to, and a Bill or Bills order'd to be brought in thereupon.

In the mean while the Commons, in a grand Committee, having several Times consider'd of the Trade to Africa, and heard both the Royal African Company; and the separate Traders to Africa, upon their several Petitions, came at last to these two Resolutions.

Resolutions
ons about
the Trade
to Africa,
9.

February.



First, That Forts and Settlements are necessary for carrying on, and preserving the Trade to *Africa*.
 Secondly, That the Trade to *Africa* be free and open for all Her Majesty's Subjects to Trade to *Africa*, from any part of *Great Britain*, or the Plantations, under such Regulations and Provisions, as may be for the Preservation of the said Trade, and maintaining the said Forts and Settlements: Which Resolutions being, on the Ninth of *February* reported, were, after some Debate, agreed to by the House; and the further Consideration of the Trade to *Africa* put off to the Monday following.

The Bill for limiting the Number of Officers in the House of Commons rejected by the Lords.

The Commons having on the 4th, read the Third time, pass'd, and sent to the Lords, the Bill for Securing the Freedom of Parliaments, by limiting the Number of Officers in the House of Commons; their Lordships appointed the 9th, to take the same into Consideration: And the Queen being come, incognito, to their House, the Earl of *Wharren* exerted his manly Eloquence, to shew that the said Bill was equally derogatory to the Prerogatives of the Crown, and the Liberties of the Subject; and the Lord *North* and *Grey*, and the Earl of *Scarborough*, having already spoken against the said Bill, the same was unanimously rejected; to the great Satisfaction of the Court.

The next Day, Mr. *Farrer* reported from the Committee of the whole House, the following Resolutions about Ways and Means to raise the Supply, viz.

Further Resolutions about Ways and Means.

10.

1. That the Quantities of Pepper on the Eighth Day of *February*, One thousand seven hundred and nine, remaining in the Hands of any Merchants, or other Traders or Dealers in Pepper, or of any Persons in Trust for them, or to their Use, be charged with the Duty of One Shilling Six Pence per Pound Weight.

2. That the several Impositions upon Wines and Vinegar, which were granted to the Crown, by an Act of the first Year of the Reign of his late Majesty King *James* the Second (Entituled, *An Act for granting to his Majesty an Imposition upon all Wines and Vinegar Imported between the Twenty Fourth Day*

of

of June, One Thousand Six Hundred and Eighty three, and the Twenty fourth Day of June, One Thousand Six Hundred and Ninety three,) and which, by several subsequent Acts since passed, have continuance until the first Day of August, One Thousand Seven Hundred and Sixteen, be further continued for and upon all Wines and Vinegar, which shall be imported into Great Britain from the last Day of July One Thousand Seven Hundred and Sixteen, until the first Day of August, One Thousand Seven Hundred and Twenty.

3. That the Impositions upon Tobacco granted to the Crown by another Act of the first Year of the Reign of his said late Majesty King James the Second, (Entituled, *An Act for granting to his Majesty an Imposition upon all Tobacco and Sugar imported between the Twenty fourth Day of June, One thousand six hundred and eighty five, and the Twenty fourth Day of June, One thousand six hundred and ninety three,*) which Act, as to Tobacco only, hath Continuance only by vertue of several subsequent Acts passed in that behalf, until the first Day of August, One thousand seven hundred and sixteen, be further continued for and upon all Tobacco which shall be imported into Great Britain, from and after the last Day of July, One thousand seven hundred and sixteen, until the first Day of August, One thousand seven hundred and twenty.

4. That the several Duties or Impositions upon several sorts of Goods and Merchandizes granted by an Act of the second Year of the Reign of their late Majesties King William and Queen Mary, of Glorious Memory, (Entituled, *An Act for granting to their Majesties certain Impositions upon all East-India Goods and Merchandizes, and upon all wrought Silks, and several other Goods and Merchandizes, to be imported after the Twenty fifth Day of December, One thousand six hundred and ninety,*) and which thereby, and by several other Acts already made, have Continuance until the first Day of August, One thousand seven hundred and sixteen, be further continued for and upon the like Commodities to be imported into Great Britain, from and after the last Day of July, One thousand seven hundred and

and

February

and sixteen, until the first Day of *August*. One thousand seven hundred and twenty.

That the Additional Impositions upon Goods and Merchandizes, granted to the Crown by an Act of the Fourth Year of their said late Majesties Reign, (Entituled, *An Act for granting to their Majesties certain Additional Impositions upon several Goods and Merchandizes for Prosecuting the present War against France*) which thereby, and by several other Acts already made, have Continuance until the first Day of *August*. One thousand seven hundred and sixteen, be further continued and payable within and throughout the whole Realm of *Great Britain*, from and after the last Day of *July*. One thousand seven hundred and sixteen, until the first Day of *August*. One thousand seven hundred and twenty.

6. That the Duties upon Whale Fins imported, which were granted to the Crown by an Act of the Ninth Year of the Reign of his said late Majesty King *William the Third*, (Entituled, *An Act for taking away half the Duties imposed on Glass Wares, and the whole Duties lately laid on Stone and Earthen Wares and Tobacco-Pipes, and for granting in lieu thereof, new Duties on Whale-Fins and Scotch Linens*, and which thereby, and by subsequent Acts, have Continuance until the first Day of *August*. One thousand seven hundred and sixteen, be continued for and upon all Whale Fins to be imported into *Great Britain*, from and after the last Day of *July*. One thousand seven hundred and sixteen, until the first Day of *August*. One thousand seven hundred and twenty.

7. That from and immediately after the time that all the Principal and Interest Moneys, which by any former Act or Acts of Parliament, are charged or chargeable upon the like Impositions or Duties thereby granted or continued for and upon such Wines, Vinegar, Tobacco, *East-India* Goods, and upon the like Additional Impositions, and the like Duties on Whale-Fins as aforesaid, shall be fully paid off and satisfied, or that sufficient Money shall be reserved in the Exchequer for that purpose; then all the Moneys which shall from

from thenceforth arise by the said Impositions or Duties granted or continued by this said former Act for the remainder of the Terms formerly granted, and therein then to come and unexpired (except the necessary Charges of Collecting and Levying the same) be appropriated and applied towards raising the Supply granted to Her Majesty in the present Session of Parliament.

8. That immediately from and after the Time that all the Principal and Interest Money secured by an Act of the first Year of Her Majesty's Reign, (Entituled, *An Act for making good Deficiencies, and for preserving the Publick Credit*.) shall be fully paid off and satisfied, or that sufficient Money shall be reserved in the Exchequer for that Purpose; then all the Money which from thenceforth, until the first Day of August, One thousand seven hundred and sixteen, shall arise, or be due, or payable, or be secured, or in Arrear, of and for the Duties upon Salt, and Rock-Salt, granted or continued to his said late Majesty King William the Third, his Heirs and Successors for ever, by an Act of Parliament which passed in the Seventh Year of his Reign, (Entituled, *An Act for continuing to his Majesty certain Duties upon Salt, Glass-Wares, Stone and Earthen Wares, and for granting Special Duties upon Tobacco-Pipes and other Earthen Wares, for carrying on the War against France, and for Establishing a National Land Bank, and for taking off the Duties upon Tonnage of Ships and upon Coals* (except the necessary Charges of Collecting and Levying the said Duties upon Salt and Rock-Salt) be appropriated and apply'd towards raising the said Supply now granted to Her Majesty.

9. That towards raising the Supply granted to Her Majesty, an Additional Duty be laid upon all Snuff imported, not being the Product or Manufacture of Her Majesty's Plantations.

10. That the said Duty be Three Shillings for every Pound Weight, over and above the Duty now payable.

11. That the Quantities of Snuff not being of the Product or Manufacture of Her Majesty's Plantations, on the Eighth Day of November, One thousand

sand

February

land seven hundred and nine, remaining in the Hands of any Merchants, or other Traders or Dealers in Snuff, or of any Persons in trust for them, or to their Use, be charged with the Duty of Three Shillings per Pound Weight.

These Resolutions were agreed to, and a Bill or Bills order'd to be brought in upon the same, except those relating to the Duties laid upon the Stock of Pepper in Hand, and upon Snuff. At the same Time the Commons Ordered,

1. That it be an Instruction to the Gentlemen who are to prepare and bring in a Bill or Bills on the Resolutions of *Monday* last, that they do make the same to extend to the Stock of Pepper which was the Eighth Day of *February*. One thousand seven hundred and nine, in the Hands of any Merchants, or other Traders or Dealers in Pepper, or of any Persons in Trust for them, or to their Use.

2. That they also provide, that the Duties upon Snuff imported be added to the Duties for securing the Yearly Fund of Ninety Thousand Pound *per Ann.* for Payment of Annuities.

3. That they do provide that the Surplus of the Duties on Coals and Houses, granted by an Act of this Session of Parliament, which at the end of any Year may arise, after all the Payments directed or authorized by the said Act for each Year shall be satisfied or Money reserved for the same, be made liable to make good any Deficiency of the said Fund of Ninety thousand Pounds *per Annum*, in case any such Deficiency should happen; and in Default thereof, such Deficiency to be made good out of the then next Aids to be granted in Parliament.

And, 4. That it be also an Instruction, that they do effectually provide against the smuggling or running any sorts of Goods.

Four Days after a Bill was brought in upon these Resolutions, to raise Ten Hundred Thousand Pounds by Sale of Annuities, and (in Default thereof) by another Lottery, for the Service of the Year One thousand seven hundred and ten.

On the 11th, Mr. Malpas reported to the House, from the Committee to whom the Bill for ascertaining and limiting the Time of future publick Mourning, was committed, the Amendments they had made to that Bill, which were agreed to, and another Amendment was made by the House. But the Question being put, that the Bill, with the Amendments, be engross'd, it pass'd in the Negative.

On the 13th, a Petition of several Creditors and Proprietors of Principal Money, Annuities, and Shares in the Mine-Adventure of England, on behalf of themselves, and several Widows and Orphans, Members and Creditors of the Company of the said Mine-Adventure, was presented to the House, and read, praying, That Leave may be given to bring in a Bill to transfer the Management and Government of the Mines into such Persons as should be chosen by, and represent the Creditors of One hundred twenty five thousand Pounds, and by the Annuities granted in Lieu thereof, and by Bonds and seal'd Bills, subject to such Constitutions and Regulations, with all necessary Provision for the Payment of the Companies just Debts; and that the respective Persons having acted in the Management of the Mines (as in the Petition is complain'd of) may be excluded from the further Management thereof, and may deliver over all Deeds, Writings, Books, Papers, Effects and Accounts relating to the said Mines, upon Oath, to the Persons that should be hereafter chosen to manage the same, and might make Satisfaction for their Management; and that the Petitioners might have such other Relief (being altogether remediless in the Premises elsewhere) as to the House should seem meet. The Consideration of this Petition being referr'd to a Committee, upon their Report a Bill was order'd to be brought in, for the Relief of the Creditors and Proprietors of the Company of Mine-Adventurers of England, and that the Management of the Mines be put in the Hands of Trustees; which was brought in accordingly, and read the first Time on the Eighteenth of March. Sir Humphry Mackworth, who, by the Report of the Committee, appear'd to have embezell'd a considerable part of the Prin-

Petition about the Mine Adventure.

13.

A Bill brought in thereupon. March 18.

February Principal Money and Stock of the Mine-Adventurers, having petitioned to be heard by the House, he was on the twenty third of March called in, as were also the Council for the Petitioners, and in part heard, relating to the Matters of the said Report. Being withdrawn, a Debate arose upon what they had offered, which was adjourned to the twenty fifth, when both Sir *Humphry Mackworth*, and the Council for the Petitioners, were heard again; and the further Hearing of them put off to the twenty eighth, then to the next Day, then again to the thirtieth, and so the thirty first; when the Commons came to these unanimous Resolutions:

Resolutions
against
Sir Hum.
Mack-
worth.

1. That it appears to this House, That Sir *Humphry Mackworth*, Deputy-Governour of the Company of Mine-Adventurers of England, is guilty of many notorious and scandalous Frauds, and indirect Practices in Violation of the Charter granted to the said Company, in Breach of his Trust, and to the manifest Wrong and Oppression of the Proprietors and Creditors of the said Company.

2. That it appears to this House, That *William Sheirs*, Secretary to the said Company, is guilty of many notorious and scandalous Frauds, and indirect Practices, in Confederacy with the said Sir *Humphry Mackworth*, to the Wrong and Oppression of the said Company.

3. That it appears to this House, That *Thomas Dykes*, Treasurer to the said Company, is guilty of many notorious and scandalous Frauds, and indirect Practices, in Confederacy with the said Sir *Humphry Mackworth*, to the Wrong and Oppression of the Proprietors and Creditors of the said Company.

After which it was ordered,

1. That the Report from the Committee to whom the Petition of the Creditors and Proprietors of Principal Money, Annuities, and Shares, in the Mine-Adventure of England, was referred, and also the said Resolutions, be printed.

2. That a Bill be brought in to prevent the said Sir *Humphry Mackworth*, *William Sheirs*, and *Thomas Dykes*, their leaving this Kingdom, and their allies.

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WE Your Majesty's most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal, and Commons in Parliament Assembled, having Reason to believe that the Negotiations of Peace will suddenly be renewed in Holland, and being justly Apprehensive of the Crafty and Intriguing Designs of our Enemies to create Divisions among Your Allies, or by Amusing them with Decentful Expectations of Peace, to retard their Preparations for War, do think our selves bound in Duty, most humbly to represent to Your Majesty, of how great Importance we conceive it is to the Interest of the Common Cause, that the Duke of Marlborough should be abroad at this juncture. We cannot but take this Opportunity to express our Sense of the Great and Unparalleled Services of the Duke of Marlborough, and with all imaginable Dury to applaud your Majesty's great Wisdom, in having honour'd the same Person with the great Characters of General and Plenipotentiary, who in our humble Opinion, is most capable of discharging two such important Trusts.

We

February

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We therefore make it our humble Request to your Majesty, that you would be pleased to order the Duke of Marlborough's immediate Departure for Holland, where his Presence will be equally necessary, to assist at the Negotiations of Peace, and to hasten the Preparations for an early Campaign, which will most effectually disappoint the Artifices of our Enemies, and procure a safe and honourable PEACE for your Majesty and your Allies.

To this Address the Queen returned the following Answer.

My Lords and Gentlemen,

The Queen's
Answer.

I Am so sensible of the Necessity of the Duke of Marlborough's Presence in Holland at this Critical Juncture, that I have already given the necessary Directions for his immediate Departure; and I am very glad to find, by this Address that you concur with Me in a just Sense of the Duke of Marlborough's Eminence Services.

The same Day, viz. the Eighteenth, the Queen order'd Two Proclamations to be publish'd, one for South, the other for North Britain, appointing a publick and general Fast to be observ'd, (in England, the Fifteenth, and in Scotland the Twenty ninth of March next) for imploring the Continuance of God Almighty's Blessing and Assistance, on the Arms of Her Majesty, and Her Allies. And it was then also that Richard Earl of Bradford was sworn of Her Majesty's most honourable Privy-Council: And on the twenty sixth, Major-General Barner, Envoy from the Prince, and Administrator of Holstein, had his private Audience of Leave of Her Majesty.

The E. of
Bradford
made a
Privy
Counsel-
lor. 18.

The Duke of Marlborough having on the 19th set out for Harwich, landed in Holland the Seventh of March N. S. after a difficult Passage, having been Three Days at Sea; and lain from Seven in the Morning till Two in the Afternoon, rowling about Three Leagues off the Shore.

On the 23d a Petition of Peter Jaquin St. Pierre, Mathew de Gastine, Paul Boyer, John Dubourdiou, Peter

Peter King for, &c. in behalf of themselves and un-
 der other French Protestants, as also of several Chil-
 dren (of French Protestants deceased) settled in her
 Majesty's Dominions, were presented to the House,
 setting forth, That the French King had made
 several Edicts, Decrees and Declarations, where-
 by all the French Protestants who had fled for Re-
 fuge into her Majesty's Dominions, on account of
 their Religion, were declar'd and adjudg'd to be
 outlaw'd, and to have forfeited their Goods and
 Estates, and excluded from Claiming and Enjoy-
 ing any Inheritance in France, which Edicts and
 Declarations were put in Execution with the ut-
 most Rigour; That, on the contrary, many Per-
 sons living in France did frequently either come
 themselves into this Kingdom of Great Britain, or
 appoint Proxies and Attorneys to Claim and In-
 herit the Estates of their deceased Relations; and
 being possess'd of them, did afterwards return in-
 to France with the same, to the prejudice of the
 other remoter Relations of the Deceased, settled in
 her Majestys Dominions; who were thereby for-
 ever depriv'd of such Estates as might fall to them,
 either by Lineal or Collateral Succession; and
 therefore the Petitioners pray'd, That Leave be
 given to bring in a Bill, to prevent the Subjects of
 the French King, residing in his Dominions, from
 claiming or enjoying any Estates of their Relations, dy-
 ing in her Majesty's Dominions. This Petition ha-
 ving been read, a Bill was order'd to be brought in
 accordingly, which Mr. Hampden did on the 11th
 of March: But upon the private Suggestions of some
 French Protestants, that this Bill would be more pre-
 judicial, than advantageous to themselves and their
 Fellow-Refugees, who, from time to time receiv'd
 considerable Remittances of Money from their Re-
 lations in France, the second Reading of it was put
 off, and so the Bill Dropt.

Petition of
 the French
 Refugees
 to the
 House of
 Commons.

A Bill to
 prevent
 the French
 King's
 Subjects
 from Inhe-
 riting in
 Her Ma-
 jesty's Do-
 minions.

On the 27th, the Queen went to the House of
 Lords, and the Commons attending, her Majesty
 gave the Royal Assent to these three publick Bills, viz.
 1. An Act for continuing the Act for Recruit-
 ing her Majesty's Land Forces and Marines, for
 the Service of the Year One thousand seven hun-
 dred and ten. L 2. An

2. An Act for employing the Money raised by encouraging the Consumption of Raw Silk and Mohair Yarn.

3. An Act for repairing the Highway between the House commonly called the *Hospital* in the Parish of *Stoke-Gilbert*, in the County of *Bucks*, and the Town of *Northampton*.

Peace agitated.

As to the Affairs upon the Continent, we have already mentioned the Project of Peace published by France, and some Advances they were making towards setting up new Negotiations of Peace; Couriers now pass'd between *Verfailles* and the *Empire*, Monsieur de *Torcy* corresponded with M. *Perceux* about it. France seem'd to acquiesce in every thing but the 37th Article, for which they would treat of an Equivalent, but we shall hear more of this and the Arrival of their Plenipotentiaries at *Gerslingenburg* the next Month. All that we are to observe now in the *Netherlands* is, that the Council of State, being informed of the Murmurs occasioned in *Ghent* by the late Amnesty published there in Favour of the Persons concerned in the Betraying of *Ghent* and *Bruges*, and seeing by the Representation made unto them on that Subject, that their Dissatisfaction might be attended with ill Consequences, they writ the following Letter to the Regency of *Flanders*, which 'tis hoped would put an End to that Affair, and satisfy the Collation or Regency of *Ghent*.

The KING in Council.

Dear and Well-Beloved,

Council of
States
Lett
ser to the
Regency of
Flanders.

HAVING examined the Request made to us on your Part, concerning the Grievances of the Collation upon account of the Amnesty. We do assure you, that it regards none but those who were suspected of having had some Share in the surprizing of our Town of *Ghent*, and the taking of that of *Bruges*: So that we are surprized to see, that those of the said Collation find any Subject of Complaint therein, and We look upon your Representation of that Matter, as contrary to Our Intention, in granting the said Amnesty, which

was

1710
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was entirely to silence that Affair, and Re-establish
Union and Tranquillity in Our Provinces of *Blon-*
den in such a manner, that it should no more
be mentioned, than if that East had never been
contaminated. Mean time, Dear and Well-beloved,
We commend you to God's Holy Protection.

Brussels, Feb. 5. 1710. 132.

As to the Affairs between the *Danes* and *Suedes*;
the former in *Schaum*, under General *Requaden* ha-
ving Intelligence, that the *Suedes* had made Dispo-
sitions to attack *Helsingborg*, and at the same Time
designed to advance with the rest of their Forces to-
wards the *Danish* Army, to cut off their Communi-
cation, he thought fit to abandon the *Post*, he had
taken at *Christianstads*, and the Neighbourhood of
that Town, to retreat towards *Helsingborg* for the
Security of that Place, and to order the Troops em-
ployed in the Blockade of *Malmö* and *Landskrona* to
join the Army on its March. The *Suedes* on their
part took Possession of *Christianstads*, and other
Posts which were quitted by the *Danes*: And the
Day before this Retreat, a Party of *Danish* Horse
being sent out for Intelligence, was surprized by a
Body of *Suedes*, who defeated the *Danish*, and took
fifty Prisoners of War, among whom was Lieute-
nant Colonel *Bibau*.

Danes
quit *Chr-
istianstads*.

We shall at present leave the *Danish* Army posted
at *Helsingborg*, narrowly watched by the *Suedes*, who
in the next Month shall call them to a severe Ac-
count for their Invasion of *Schaum*, in the Absence,
or I may say the Captivity of their King at *Bender*
in *Turkey*; for tho' there had been no *Dyer* called
in *Sweden* for several Years before, yet the Necessity
of the Times having brought them now together,
they made several Resolutions for the Good and De-
fence of the Kingdom. They took upon them the
Guarantee of the Bank, and promised to make good
all the Money therein, and whatever should be ad-
vanced for the Service of their Country; and this
Declaration had so good an Effect, that Money be-
gan to Circulate with more Facility than many ex-
pected. And since we have mentioned this *Dyer*,
it will not be improper to insert here the Abstract

Swedish
Dyer.

February
Circular
Letters to
call this
Dyet.

of the Circular Letters that were issued out for calling the last Dyet, They beseech the said King and were directed to the Subjects, States, Counts, Barons, Bishops, Knights, Gentlemen, Military Officers, Burghers of Towns, and to the Inhabitants of Villages, &c. The Substance is as follows: That upon the Misfortune which befel the King's Army in July last, his Majesty being then ill of a Wound he had received some Days before, he was obliged to retire with some few Troops to *Debrin*, a Town belonging to the *Turkey*, where he was received and entertained with all manner of Respect and Civility on the part of the Grand Signior. That his Royal Council and Faithful Subjects had great Cause to return humble Thanks to the Almighty, for having so wonderfully preserved his Majesty's Person in so great a Danger: That they had received a certain Account of all these things in October last, with Letters from the King, written with his own Hand, importing, That he was in good Health, and hop'd to set out shortly from *Bender*, to return to his own Territories, of which a further Account was daily expected: That the *Czar*, an Enemy of his Majesty, having his Hands free thro' this long and unfortunate Absence, had turn'd his Arms against *Polonia*, and begun in October last to streighten *Riga*, threatening to besiege that Place, and attack *Wyburg*, and the whole Province of *Finland*. That on the other hand, the King of *Denmark* had violated the Peace without any just Cause, and in an Hostile manner invaded *Schonen*, with a Design to attack *Carenscoon*, which Design, thro' the Mercy of God had been prevented: That while that Prince was assembling all his Forces to penetrate into *Sweden* through several Parts, the Royal Council which the King has appointed to take Care of his Crown and Kingdom during his Absence, have neglected nothing on their part, but on the contrary used all possible Endeavours for the Defence of their dear Country, against the Invasion she was threatened with, That in order thereunto, the Troops were sent with all speed to the most exposed Frontiers, which had so good an Effect, that the Enemy

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my was driven from Sweden, and Sweden delivered
From that Invasion; That all possible Means were
used to secure to them, provide the Fortresses, and
take other necessary Measures for the Safety of the
Kingdom; but that the ordinary Revenues being
diminished by the length of this War, they had
been obliged to think of new Means; but that in
being uncertain whether the King could return so
soon as it were to be wish'd, for the Good of the
Kingdom, they thought they ought not to delay to
take the necessary Measures for the Defence of
their Country. That therefore they had thought
it an indispensable Necessity to communicate to the
States of the Kingdom the true Circumstances of
the Affairs thereof; and that it being improper and
impracticable to do it by way of Letter, it was
thought necessary to summon a General Assembly
to meet the 30th of March at Stockholm, not doubt-
ing in the least, but the said States would comply
therewith. That accordingly they directed the
Provincial Judges, with 2 or 3 Noblemen of each
Province, provided with the necessary Powers;
all the Bishops and Superintendants, with 2 or 3
Priests of each Diocese; 1 or 2 Officers of War of
each Fief, being not upon Service, and a Burgo-
Master, Councillor or Burgher of all the chief
Towns, having sufficient Power from them, and
the little Towns in their Districts to act in their
Names; and lastly, 3 or 4 of the most considerable
Peasants of each Province, authorized by their se-
veral Districts, to meet at Stockholm the 30th of
March, as aforesaid, to compose the Assembly a-
foresaid; and take into Consideration such Things
as shall relate to the Good and Interest of the
Kingdom; unless he should happen to return be-
fore that Time, as it is wish'd by all his Subjects;
in which Case the Council shall immediately give
Notice thereof to the States of the Kingdom, that
they may not be put to unnecessary Troubles and
Charges; concluding, that it is not the Design of
the Council to lay new Taxes on the Subjects in
that Assembly, but to wait in that respect, the fur-
ther Orders of his Majesty, &c.

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February

Great
Council
held at
Warsaw.

On the other hand, the other Gentlemen of the
Swedish last Year at *Pultowa*, having made war for *R.
Augustus* to recover the Crown of *Poland*, there
was a great Council held at *Warsaw* on the 10th, where
the King being congratulated upon his Recovery, and
a Motion made that the Council might be continu-
ed for some Time, to give the Deputies of *Poland* Time
to come to assist therein; the Bishop of *Sa-
werland*, Great Chancellor of the Crown, said in the
King's Name, That notwithstanding his Majesty
was very unwilling to lose a Moment of Time, and
put off the Deliberations of the Council, yet upon
their Motion he was pleased to prorogue them to the
10th Instant, that such Members as were absent
might have Time to come thither. They met ac-
cordingly the 10th, when the Chancellor commu-
nicated to the Assembly the Proposals of the King.
They adjourned to the 13th, and the same were
publickly read, and are as follow. 1. That the
King and Republick shall oblige themselves to main-
tain the Constitution and Liberties of the Kingdom.
2. To maintain his Majesty on the Throne, and
protect the Catholick Religion. 3. To compel the
City of *Dantzick* to renounce the Alliances they have
made with Foreign Princes, without the Consent
and Participation of the Republick. 4. To take in-
to Consideration Foreign Affairs, and bring the pre-
sent War with *Sweden* to a Conclusion as soon as pos-
sible. 5. To settle the National Militia, and make
suitable Provision for maintaining the same. 6. To
confer with the Minister of *Moscow*, in order that
the *Czar* may fulfil the Conditions of publick Trea-
ties, keep his Troops under a good Discipline, pay
the Subsidies he has promised, and to restore to the
Republick the Towns and Fortresses retaken from
the Enemy. 7. To send Ambassies to Foreign Po-
tentates, to settle and cultivate a good Correspon-
dence with them. 8. To take effectual Measures
for putting the Frontier Places, and particularly *Ca-
miniack*, and the Fort of the *Trinity* into a good Po-
sure of Defence. And lastly, To prepare a Train
of Artillery for the next Campaign.

The Poles indeed at this Time seem'd to be more
unanimous than they had been a long time before;
whether

whether out of Necessity, or otherwise, we need not determine, but the said Bill remained among them. However, we shall leave this Dis-
course, and proceed to the next, and observe, That having in our former Volume inserted the most ma-
terial Pieces relating to the Insult committed against the *Milcovite* Ambassador in England, the Satisfac-
tion demanded by his Majesty, and the Steps made on the part of Her Majesty in that Affair, we shall now give the Particulars of the Conclusion of this Affair, as it has been published by order of the *Milcovite* Ambassador with this Title.

*A RELATION of what pass'd at Moscow, on the 16th of February, N. S. 1710: the Day his Czarrish Majesty Peter, Emperor of Great Russia, admitted to publick Audience his Excellency Mr. Charles Whitworth, formerly Envoy Extraordinary of Her Majesty ANNE, Queen of Great Britain; and since vested with the Character of Her Ambassador Extraordinary, Commissioner, and Plenipotentiary, expressly and pur-
posely, to make solemn Excuses in Her Name, in Sa-
tisfaction for the Insult done at London, the 1st of August, N. S. 1708, to his Excellency M. Andrew Antonides de Matueof, Minister of State, Go-
vernour of the Dutchy of Jarollaw, at that time Ambassador Extraordinary of his said Czarrish Ma-
jesty, at the Court of Her Britannick Majesty. To which are added the Articles stipulated in the Confe-
rence between the Minister of the Czar, and the same Ambassador of the Queen.*

THE 8th of February being appointed for the Solemnity, Monsieur Basilis de Soltsikof, Chief Chamberlain to his Czarrish Majesty, accompany'd by Mons. Athanasius de Dmitreef, Memonof, Cup Bearer, who officiated as Master of the Ceremonies, went from the Court in one of his Czarrish Majesty's Coaches, to the House of Her Britannick Majesty's Ambassador, being follow'd by Twenty other Coaches of the Grandees and principal Lords of the Court, some only to make up a Train for Show, and others for the Ambassador's Secretary and Gentlemen, who were

Particulars of Mr
wirth the
English
Envoy's
accommodating the
Differences
between
the Queen
and Czar.



were all nicely cleared and visible to the Ambassa-
dors of the Coaches in which they rode.

Being come to the Ambassador's House, the Chief Carver and Cup-Bearer went up to his Apartment, where they declar'd to his Excellency the Business they were come about; and, after some brief Conversations, they went into the Coach with the Ambassador, who took the Place of Honour, the Chief Carver sat by his Side, and the Cup-Bearer over against him: The Secretary and Gentlemen of the Embassy went in the Coaches appointed for them, each according to his Rank, and the Train being increas'd by the Ambassador's Coaches, proceeded to the Court.

Arriving there, the Two Regiments of Guards, *Preobrazenski* and *Semionovski*, who were drawn up within the Court, made the Salutes of Honour to the Ambassador, according to Custom, and remain'd standing in Parade during the whole Audience; making a very fine Show, the Richness of their Cloaths, and the Neatness of their Arms and Accoutrements setting off the comely Men of which those Regiments are compos'd: The Officers at their Head made the most splendid Appearance that can be imagin'd; and the whole Extent of the Court, as large as 'tis, could hardly afford them Room enough.

Monsieur de Narichkin, Gentleman of the Bed-Chamber to his *Czarist* Majesty, receiv'd the Ambassador at the Foot of the Stair-case, where his Excellency came out of the Coach, and complimented him. *Prince George de Scherbaty*, Counsellor of State, perform'd the like Honours to him at the Top of the Stair-case, and his Excellency *Monsieur de Muffin Puchkin*, Privy-Counsellor, complimented him in the Antichamber, and the Ambassador was conducted according to the Ceremonial to the Hall of Audience, where his *Czarist* Majesty was standing uncover'd under a Canopy, leaning against a Table, having an arm'd Chair behind him, the Grandees and Ministers of the Court, with the Generals of his Army, standing on each Hand of him.

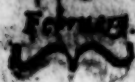
As soon as the Emperor was in State, when he made his first Entrance into the Hall, his Majesty sat down, and the Duke of Devonshire stood, where standing, and with his Hat off, his Excellency made a Speech in English, of which the Secretary read aloud a Translation in the German Tongue, and with the same, Mr. Hand, to the end the foreign Ministers who had been formally invited to assist at this Solemnity, might understand the Contents of it; and then one of his Majesty's Secretaries read it out in the Russian Language, for the Information of the Lords and Gentlemen of the Empire. The Speech was as follows.

Most High and most Powerful Emperor,

TIS not without a very sensible Grief, that I am obliged to mention, to your Imperial Majesty the Affront which was offer'd to your Ambassador in Great Britain. And I should be much more concern'd at it, were I not furnish'd with express Orders and full Power, to declare, with how great Diligence, Her Majesty the Queen of Great Britain, my most Gracious Mistress, has endeavour'd to give sufficient Satisfaction for it, proportion'd as well to Her Equity, as to Her Greatness of Soul, and such as may serve as an evident Mark of Her constant Friendship, which she has always had for your Imperial Majesty, and which she is desirous inviolably to continue to you.

The first Advice of that unfortunate Accident was no sooner brought to Court, but the Guilty were sensible of Her Royal Indignation: they were immediately arrested: they were examin'd before the Queen in Her Council; they were imprison'd, and prosecuted with the utmost Severity of our Laws; and tho' these were found to be not extensive enough, yet they were declar'd infamous, with the unanimous Consent of the whole Nation assembled in Parliament, who declar'd to the whole World, by a publick Act, how much they abhor'd the Indignity of the Fact, and took the necessary Precautions to prevent the like Informations.

Mr. Whitworth's
Speech to
the Czar.

February


encies for the future. Neither did they suffer them; for those Criminals were afterwards declared unworthy any Favour or Protection, and excluded from the General Pardon, which Her Majesty the Queen caused to be published for all Her Subjects, even for those who had, in the most enormous manner, attempted against Her Sacred Person; and tho' other Criminals do actually enjoy that Benefit, those are still under Her Majesty's high Displeasure.

And to the end that Her Royal Equity and Clemency may reach further, and become the more shining in the World, Her Majesty has graciously been pleased to honour me with the high Character of Her Ambassador Extraordinary, Commissary and Plenipotentiary, and to give me the Power to represent Her Royal Person, as if her self were present. In the first place to testify the Sorrow, and the just and high Abhorrence she has for that rash Deed, perpetrated against a publick Minister, especially against such a one as Her Majesty the Queen has a most particular Esteem for; and afterwards to beg Excuse for the Defect and Insufficiency of our ancient Constitution, in the Case of so extraordinary a Violation of the Laws of Nations, for which the Criminals should with Justice, have been punish'd with the utmost Rigour, according to your Imperial Majesty's Desire: And, in the last place, to assure your Imperial Majesty, in the most sincere manner, how much Her Majesty the Queen is inclin'd to maintain the ancient Friendship and good Correspondence, which for so long a time have been between the two Crowns; of which your Imperial Majesty may please to take further notice in this her Letter; which is a Testimony of the great Affection and high Esteem Her Majesty the Queen has for your Imperial Majesty.

Wherefore I most instantly desire, in the Name of Her Majesty the Queen, that your Imperial Majesty may vouchsafe to accept the aforesaid Excuse with the usual Fraternal Affection, and not to impute either to Her Majesty the Queen, or the British Nation, an Action of which some disorder-

Persons are the Authors; But that entirely pertain-
ing the same in Oblivion, your Imperial Majesty
may again generously continue your high Affec-
tion to the Queen my Mistress and her Subjects.

For my own part, I shall esteem my self most
happy, if I may any way contribute to so great a
Work, so advantageous to both the Crowns, and
so necessary to the present State of Europe.

Several great Benefits and Marks of Favour
which I have already received during the Dis-
charge of my former Employment, of which I
shall ever retain a thankful Remembrance, make
me hope for the same favourable Reception during
the Remainder of my Stay here, in the Exercise
of my new Commission, as often as I shall have
the Honour to make any new Proposals to your
Imperial Majesty's Court, by Order of my most
Gracious Queen.

In the Conclusion, I beg leave to recommend
the British Subjects who live in this Country, to
your Imperial Majesty's high Protection, with re-
spect to the Free Trade which their Ancestors be-
gan, first by the way of Archangel, with great Ex-
pence, and Loss of abundance of Men.

Signed,

CHARLES WHITWORTH.

After the Speech was made, and Two Transla-
tions of it read, his Excellency the Ambassador de-
liver'd to his *Czarish* Majesty, Her Majesty the
Queen of Great Britain's Letter to the Effect fol-
lowing.

(After the usual TITLES.)

WE have already written to your Imperial Majesty, to declare to you the Grief we
conceiv'd, for the unhappy Affront which was of-
fer'd to your Ambassador, before he left our Court.
We have since receiv'd the Letter which your Im-
perial Majesty wrote to Us upon that Subject;
and we can assure your Imperial Majesty, That
we were touch'd with true Sorrow, when we saw
how highly you resent'd the Violence which had
been

Queen of
Great Bri-
tain's Let-
ter to the
Czar.



been offer'd to your Imperial Majesty's Satisfaction, in the Character of your Imperial Majesty, and we were the more mov'd on this Occasion, when we reflected on the Insufficiency of our Laws, to give as ample a Satisfaction as we desired to make, as well for the just Sense we our Self had of the Indignity which had been offer'd, as to convince your Imperial Majesty how much we were inclin'd to make a suitable Reparation of the Injury done to good a Friend and Ally. But we must confess, that at the same time we had a singular Pleasure, in observing your Imperial Majesty's Desire to prevent the Misunderstanding which might arise therefrom; and the great Esteem you shew'd for our Friendship; as well as the Care you express'd to preserve and cultivate it, by reciprocal Marks of Friendship and Affection.

Wherefore we promise our Self from your Goodness, that upon the Representations which from time to time have been made to you in our Name, by our Envoy Extraordinary at your Imperial Court, your Imperial Majesty will be pleas'd to examine into the Nature of this Affair; where your Imperial Majesty will not see, the least Inclination to favour the Criminals, nor to screen them from Justice; but that there are insuperable Difficulties, with respect to the ancient and fundamental Laws of the Government of our People, which we fear do not permit so severe and rigorous a Sentence to be given, as your Imperial Majesty at first seem'd to expect in this Case: And we persuade our Self, that your Imperial Majesty who are a Prince equally famous for Clemency, and for exact Justice, will not require us, who are the Guardian and Protectress of the Laws, to inflict a Punishment upon our Subjects, which the Law does not empower us to do.

Nevertheless, we have not been wanting at the same time, to use all the means which we judg'd most effectual to persuade your Imperial Majesty and the whole World of the Sincerity of our Intentions, and of our Endeavours in this Affair. And to the end the Guilty might be punished so far as

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the Law and Conscience of this Kingdom, which were then in Force, would permit the Judges express and repeated Orders from your Majesty's Justices, and to our Ministers, to prosecute them with the utmost Severity, in Manner as is now said. That Prosecution has been long continued with every great Diligence, and nothing has been omitted to bring it to speedy a Conclusion as possible. But afterwards the Matter is such that we find your Self obliged to inform your Imperial Majesty, Athwart with respect of the different Pleadings in Favour of the Criminals; the slow, but indispensable Manner of Proceeding in a Law-Suit, of so great Importance as of the Case Itself, which is of an extraordinary Nature, against which no sufficient Provision is made in the ancient Statutes of these Kingdoms; it has not hitherto been in the Power of our Council learned in the Law, to ob-tain a Sentence, nor a final Decision of this Affair. Wherefore, considering the Inconveniencies, and foreseeing the Delays which might probably happen in the ordinary Course of Law, and in desiring, at the same time, to give you signal Marks of our Sorrow, as also to shew you the Indignation of all our Subjects on this Occasion, We have passed an Act of Parliament made in the most solemn manner, by the Great Council and Assembly of our Kingdom of Great Britain, wherein is made a Declaration as Authentick as possible, of the just Horror which our Subjects in general have against this violent Insult, and all the Acts and Proceedings which relate to the Arrest of the Person of your Imperial Majesty's Ambassador, are annul, and raz'd out of the Registers of our Courts of Justice; and those who had a Share therein are branded as infamous Criminals, and obnoxious to the Laws which were then in Force. And if any Person hereafter durst commit the like Offence, on any ways violate the Privileges of Ambassadors and other Foreign Ministers, they will be liable to the most severe Penalties and Punishments, which the Arbitrary Power of the Judges shall think fit to inflict upon them, and to which no Bounds are given in this new Act. So that all

Insults

February 3.

Infidelity of this Nature will be prevented for the
 future, and the Security which all Princes and States
 might to enjoy, will be firmly established and pre-
 served by this Session's Laws. And this will re-
 main as a Monument to all Posterity, of the De-
 ference which has been shewn to your Imperial
 Majesty; and all the Ministers which shall come
 for the future, will be inspired for this extraor-
 dinary Act for their Protection, to the particu-
 lar Consideration which We and our People have
 had for your Imperial Majesty's Honour. As
 therefore your Imperial Majesty cannot but see,
 that we have used our utmost Endeavours im-
 proving the Criminals, and in causing them to be
 punished, though not with the Success we could
 have wished: And since we have procur'd an Act
 to be made by the Representatives of all our Sub-
 jects of Great Britain, as well for Reparation of
 what has been done, as to prevent the like Inso-
 lence for the future: We instantly pray your Im-
 perial Majesty to accept of all that we have done
 on our side, as the most we could do here for your
 Satisfaction; whereby your Imperial Majesty will
 give us the strongest Proof that can be of your
 constant Affection towards us; and you may be
 assured that we shall not fail, on our side, to do all
 that lies in our Power, on all Occasions, to shew
 you our Gratitude by our firm Friendship and
 Esteem. And to the end that nothing may be omitted,
 which is in our Power to do farther, by way of
 suitable Reparation, we have thought fit to make
 choice of some worthy and able Person, to declare
 to your Imperial Majesty, in the most publick
 and solemn manner, the Indignation we conceiv'd
 at the Affront offered, and our Concern that it is
 not in our Power to cause the Criminals to be pu-
 nished according to their Deserts. And as our
 Trusty and Well-beloved Mr. Charles Whitworth
 has merited our Royal Approbation, by his Abili-
 ty and Experience in all the Affairs which have
 been entrusted with him, as also by his good Con-
 duct at your Imperial Majesty's Court, for several
 Years past; we have therefore given him a special
 Power

' Portmanteau, and the same day, the said Ambassador
 ' did deliver the said Letter to the said
 ' Person, who, with great Respect and Diligence
 ' in our Hearing, did deliver the same to your Imperial
 ' Majesty, as was desired. And we do hereby
 ' by before your Imperial Majesty, to be pleased to
 ' admit and receive the said John Charles, Marquis
 ' as our Ambassador Extraordinary for this End, and
 ' to give entire Credit to all that he shall say to you
 ' in our Royal Name, as if we were present to do it
 ' in Person. We will only add, as a Mark of our
 ' Esteem for your Ambassador himself, who suffered
 ' this Insult, that as we were sensible of his Person's
 ' Virtues and great Qualities, during his Residence
 ' at our Court, so we were more particularly con-
 ' cerned that such an Injury should be offered to a
 ' Gentleman of so great Merit and Consideration;
 ' being besides the Ambassador of so great a Prince
 ' and so good an Ally. And so, resting thereto
 ' Great Dispenser of all good Things, with vouchsafe
 ' to pour forth his Heavenly Benedictions upon the
 ' Person and Kingdom of your Imperial Majesty,
 ' we recommend you to his Holy Protection.

Given at our Palace at Your Imperial Majesty's
 Windsor, the 10th Day of August, 1709. ANNE R.

His Czarish Majesty having received this Letter
 from the Hands of the Ambassador, delivered it to
 the Count de Goloffkin, Great Chamberlain of his
 Empire, and was pleased to make the following An-
 swer in his own Tongue.

' IT was but requisite that her Majesty the Queen
 ' should have given Us Satisfaction by punishing
 ' the Criminals conformably to our Demands, in
 ' the most rigorous manner, as is the Custom in
 ' such Cases throughout the Universe. But seeing
 ' her Majesty has order'd you to make Excuses, in
 ' the Quality of her Ambassador Extraordinary, con-
 ' ferr'd upon you expressly for this Purpose, and to
 ' remonstrate, that her Majesty could not inflict
 ' such a Punishment upon them, because of the De-
 ' feat, in that Particular, of the former establish'd
 ' Con-

Czar's
 Answer
 to the
 Envoy.

His Czarish Majesty having concluded his Answer, his Excellency the Ambassador retired backwards out of the Hall, making three Objections in the same manner as when he came in, and was conducted back to his House with the same Ceremony, and the same of Frains accompanied by the Chief Carver and the Chief Butler; the bulk of which treated him three Days successively by express Order of his Czarish Majesty, with the greatest Plenty, Delicacy and Magnificence; the Officers of his Czarish Majesty's Household serving at Table. On the 9th O. S. the Ambassador came to the House of his Excellency the Count de Goloffin, Great Chamberlain of the Empire, and there had a Conference with him and other Ministers of his Czarish Majesty; in which this troublesome Affair was terminated, to the mutual Satisfaction of the two Powers; the Differences which had been occasion'd by so ill an Accident were compos'd; and the ancient Friendship and good Correspondence between the two Crowns renew'd, on Condition that the following Articles which were stipulated, should be performed, the Ambassador of her Britannick Majesty engaging to procure the Execution of the last but one.

Articles
of Agree-
ments be-
tween the
Czar and
the Queen.

THAT his Czarish Majesty, Emperor of Great Russia, will send Orders to Monsieur de Ma-
tue of his Ambassador Plenipotentiary at the Hague,
to notify provisionally, by a Letter to her Majesty
the Queen of Great Britain, that Mr. Charles Whit-
worth being vested with the Character of her Am-
bassador Extraordinary, Commissioner and Pleni-
potentiary, expressly and purposely to make Ex-
cuses on occasion of the Affront in Question, has

per-

done at London to the Ambassador of the said
 Majesty, which Ambassador hereby to shew the
 high consideration which the Princess of her
 Britannick Majesty, hath of the continuance of
 that Ambassador, and in pursuance of the Return
 on the said Ambassador, the said Ambassador
 Majesty hereby to shew the high consideration
 heretofore made by the said Majesty, and
 Criminals, and the said Ambassador, and
 place of the said Ambassador, and the said
 the said to be, and the said Ambassador, and
 charged with the said Ambassador, and the
 from the sentence pronounced, and the said
 to which he was committed, and the said
 His Majesty, and the said Ambassador, and
 the said Ambassador, and the said Ambassador,
 Ambassador, who will be, and the said
 in a good manner, and the said Ambassador,
 of his deceased Father, his Brother, and the
 Secretary of State, and the said Ambassador,
 in the Reign of his Majesty, and the said
 Grandfather of George, and the said
 having performed, and the said Ambassador,
 and important Service with his Majesty, and
 tincers; He cannot but (in Token of his Favour,
 and of his great good Will towards him) demand
 after his own Satisfaction, who particularly Satisfaction
 of his Majesty, namely, the Reparation of
 his Honour, and that of his Family, by the Expedi-
 ent of a Letter from her Majesty the Queen, and
 the Rembursement of all the Costs and Damages
 which he has been obliged to be at and to suffer,
 on Account of the said Affront.
 His Majesty will give Order to his said
 Ambassador to demand his Letter of Re-credence,
 which he refused to accept when he left London, as
 well as the usual Present, and the Yacht which
 her Majesty caused to be offered to him, and this
 because of the said Affront.

English
 M. de
 M. de
 M. de

English
 M. de
 M. de
 M. de

Falsely

1 All that is above, formerly being a member of the
2 Carolina Majors, will accept the position of
3 Queen that he is content with the above
4 faction by a letter which shall be delivered to
5 the Ambassador in London.

Hungarian Male-contents decline.

However, as words nothing more of moment, and that
 the Malecontents seem to be growing every day,
 and did nothing themselves being enough to re-
 store an Engagement with the Imperial Forces.
 The young Count Palatine had obliged them from
 the Castle of Sins in Brandenburg, yet Count
 Tuffelhof obliged the Garrison of Landsberg, a strong
 Fort in Zisterien, to surrender. Palatine's Army
 and 1200 Men that were therein, with Colonel
 Anhalt, joined themselves in the Service of the
 Emperor, and have been since ordered to march

The following information was obtained from the
 declaration published by General Wright, Impugning
 that the Imperial Prisoners did not forget their
 of Cruelty, upon the Imperial Prisoners. That
 since our arrival, he would order all the English
 Prisoners, who were more numerous than those
 of the Imperial, to be put to death, and pro-
 mised to soon be killed, that they had recom-
 mended the Execution of several Officers, and or-
 dered that if the Imperial did not give them a
 new Prisoner, they would forgo all hope
 of Generosity.

Let things go as they would in Hungary, as your
of the Emperor. Germany seemed ill to be in a
Exchange as to the Sense they had of being Vio-
lence for the Common Cause. We have already
given the Queen of Great Britain's Letter to the
Diet at Ratisbonne upon that Account; and it will
not be amiss to add in this Place that of his Imperi-
al Majesty to that Body. The same was Commu-
nicated in the Emperor's Name by the Cardinal of
Lambach and runs thus.

Emperor's
Letter to
the Diet
of the
Empire.
22.

Whereas it appears very plainly, that the Crown of Great Britain has no real Obligations to comply with the Preliminaries of Peace, but that on the contrary the common Enemy is preparing for

His Imperial Majesty, who is now at the
 Head of the Empire, has been so long the
 Father of the People, that he has been pleased to
 consider, that the Electors, Princes, and States
 of the Empire, and the Generous Contributions
 of his Majesty's own Territories, in the States Gene-
 ral, and the Electors of the Empire, but his Imperial
 Majesty is much troubled to hear, that several
 Members of the Empire, whose Dominions are
 exposed to Danger, don't make the least offer
 to his Majesty, for having called to fur-
 nish their Quota's of Men and Money, towards
 carrying on the War on the Upper Rhine; which
 has been of such pernicious Consequences, that the
 other Princes and States of the Empire, cannot
 burden themselves with an augmentation of their
 respective Troops. His Imperial Majesty heartily
 wishes, that the Danger which threatens Germany
 may be prevented, but the violent End of this
 long and expensive War may be avoided, and is
 no ways inclined to burden more from the Elec-
 tors and States of the Empire, than they are able
 or obliged to furnish, according to the Fundamen-
 tal Constitutions; But since it is evident, that the
 Preliminaries of Peace, which were agreed to by
 the Enemies Ministers, have been rejected by the
 King of France, to the great dishonour of the Em-
 pire, so that the Faithful Circles, who have
 sacrificed their Possessions for the advance-
 ment of the common Cause, are now like to be
 exposed to farther Devastations and Murther; and
 since the Court of France, animated by the In-
 difference and Remissness of several Members of
 the Empire, is almost sure of succeeding in their
 wicked Projects against it; it is therefore the Du-
 ty of all the Members, especially such who hold
 considerable Fiefs in their Native Country, to suc-
 cour that part of it, which is most exposed; and
 none of them ought to excuse themselves by pre-
 tending, that their Contingents of Men are em-
 ployed in other Countries. His Imperial Majesty
 for this Reason, exhorts once more the Electors,
 Princes, and States of Germany, to have a due re-
 gard to the pressing Instances of the High Allies,

February.

and to exert their utmost Forces, the more they
 might. They also hoped, that such Circumstances
 would make the Emperor's Willingness, let their Hands be
 raised first, how the Common Enemy is reduced
 to great Extremities. His Imperial Majesty
 thinks it also proper to acquaint the Diet, that
 he perceives several Members of the Empire are
 of Opinion, That the Military Chest on the Up-
 per Rhine may be settled and provided by the Re-
 venues of Bavaria and Mantua; but they ought
 to remember, as to what concerns the Revenues
 of Mantua, that his Imperial Majesty carried on
 the War for many Years in Italy at his own Ex-
 pence against the French, who had got a firm Foot-
 ing in the Duchies of Mantua, Milan and other
 Territories; and that his Majesty has been obli-
 ged to send a considerable Number of Troops to
 Naples and Catalonia, to maintain a numerous Ar-
 my in Piedmont, and to pay large Sums of Money
 towards the Subsistence of the Auxiliary Forces
 that are in the Pay of Great Britain and Holland.
 As to the Revenues of Bavaria, it is very well
 known, That the late Elector, by his Invasions
 into Tyrol, and other Hereditary Dominions of the
 House of Austria, occasioned an irreparable Da-
 mage to the Subjects, and encouraged the Mal-
 contents in Hungary to that Degree, that they have
 not only got into their Possession all Hungary, some
 few Places excepted, but have laid waste part of
 Austria and Moravia, whereby the Emperor's
 Treasury and Hereditary Dominions are reduced
 so low, that his Imperial Majesty cannot main-
 tain all his Forces in the Empire, Flanders, Italy,
 and Hungary. His Imperial Majesty is willing,
 that besides the 16000 Men he maintains in Flan-
 ders, 11000 of his own Troops shall serve on the
 Rhine, and that 8000 Men which the King of
 Prussia is to furnish, according to a particular
 Treaty, shall likewise act on the Upper Rhine.

Dated at Passau,
 February 22.

JOHN PHILIP,
 Cardinal of Lambergh.

The Roman Catholics every where, and especially in Italy, were very joyful for the Reconciliation of the Duke of Brunswick with the Church of Rome, and the Pope's Letter which he sent to the Prince which here follows shews That he had embraced the Popish Religion long before the Publick knew any thing of it.

February

To our beloved Son, the Excellent Prince Anthony Ulrich, Duke of Brunswick-Lunenburgh, &c.

CLEMENT XI

WE come with open Fatherly Arms, to meet and embrace your Highness, who are hastning towards us; and cannot (in the Fervency of our Affection, amidst the Flood of Tears, which Joy has forc'd from our Eyes) sufficiently express, how much our Heart was elevated with Gladness, when, by your Letter, and that which was sent us by our beloved Son *Annibal Albani*, our Nephew according to the Flesh, we understood, That forsaking the Error of Heretical Perverseness, and embracing the Catholick Truth, you were return'd to the Bosom of your Holy Mother the Church. The Saving of a Soul purchas'd by Christ's Blood, might be a sufficient Softening of the great Care, with which we are surcharg'd, through the unheard of Wickedness of the present Times; but is, indeed, to us, more Occasion of Congratulation, inasmuch as you have enter'd into the Warfare of the true Faith. When we consider such a saving Resolution by you taken, which is not only remarkable for the Lustre of your Princely Family, but also for the Donation of an unspeakable and extraordinary Wisdom; your Name and Authority seem to promise so great Advantages for all, that perceiving this Work to flow not from you, but from Providence, it may reasonably be hoped, we shall, by the Grace of God, receive abundant Fruit from your Example, to the Increase of his true Religion: In which Hope being wonderfully strengthened and confirmed, we trust we have not much to fear from those who wallow in the Mire, and are harden'd

Pope's Letter to the Duke of Wolsenbattel upon his Reconciliation to the Church of Rome.
10.

February



in their Sins. Tho' they will look upon your
 Resolutions with a wicked and malicious Eye,
 and use their utmost Endeavour to load you with
 Afflictions, and, by all Means, to recall you, who
 are enter'd into the Road of Salvation, to the way
 you may return to them: Yet we trust, that with
 the same Greatness of Mind, with which, having
 escap'd their Snares, you have set your self free in
 the Liberty of Christ by the true Service, you
 will likewise happily overcome their Efforts, and
 Attacks. In which Affair, though we believe
 your Dignity a sufficient Shield to defend you a-
 gainst such unjust Enterprizes; yet you may well
 assur'd, That if our Authority will any ways con-
 tribute to the Maintenance and Support of your
 Resolution, and to the Security of your Repose,
 you shall always find it ready with the firmest
 Confidence. But in the mean time, that nothing
 may be wanting to perfect your Merit, it is indeed
 requisite, for the Accomplishment of the Work
 you have undertaken, that you forthwith make
 publick Profession of your Resolution. Where-
 fore should you keep such a remarkable Benefit of
 God hidden in your Heart? Let them go,
 who seek for Lurking-holes, conceal their Senti-
 ments, and tacitly defend them; who walk in the
 Paths of the Froward, and wander in the dark;
 And do you now, at last, lift up your Head in
 that Light, which the Father of Lights has
 mercifully bestow'd on you; and openly confess
 that Catholick Verity which do's so greedily em-
 brace you. Let them be put to Shame, if any
 there be, who wish you Evil upon this Account;
 But you knowing in whom you have believed,
 confide in the same: For those who are steadfast
 and immoveable in the Lord, shall not be asha-
 med; but on the contrary, receive an eternal Re-
 ward, if they confess with their Mouth what they
 believe in their Hearts; And on the other Hand,
 it is written, That the Son of Man shall come in
 his Majesty, he will put those to Confusion be-
 fore his Angels, who have been asham'd of him
 before Men. This will make you sensible of the
 Power and Greatness of our Love and Affection
 towards

1710
To the Honble. the Commons in Parliament assembled
I have the Honour to acquaint you, that the Duke of Savoy
has been so obliging as to send me a Copy of the
Declaration which he has published in his Name, in
the Name of the Duke of Savoy, he will you have
to observe, as you will, he has so precisely be-
gun, for which we are, we constantly im-
part to your Honour, our Apological Ben-
diction.

Given at Rome, February 10. 1710.

To dwell no longer upon such an Ungrateful
Subject, which however in all Appearance can
bring no solid Advantage to the Cause of Rome
notwithstanding all the Jealousy of France in the
Negotiations of Peace (the renewing of which she
so much pressed for) as will appear hereafter, yet
they had that Artifice to impose upon the generall-
ty of People that the Peace was near at Hand, that
several *English* and *Dutch* Officers of the Court of
St. *Germain* desired Leave to go and serve King *Phi-*
lip, which the King granted them, and order'd a
Man of War to transport them from *Brest* to *Spain*.
They also gave out that the Pretender had desired
the *French* Court to suffer him to withdraw himself
from *France*. And however they seemed to be much
alarmed at *Madrid* at the Motion of Renewing the
Negotiations, they were no way discouraged, as be-
ing undoubtedly in the Secret; but made far greater
Preparations then ever yet they had done, since the
beginning of the War; and nothing was less expect-
ed than that they would root King *Charles* quite out
of *Catalonia*, which did not happen, tho' *Philip*
was to be reinforced with the *Spanish* and *Walloon*
Troops, that were in *Flanders*, which for the most
part marched for *Spain*.

Having made our Foreign Tour for this Month, *March*.
the next is very memorable in *Britain* for the
Continuation of Dr. *Sachsewells* Trial and the Tu-
mults, with other Alterations that some time after
ensued. The Managers for the Commons having
gone thro' the two first Articles, Mr. *Lockmore* on
the First Instant spoke to the Third, and said, it
was

Mr. Lech-
mere's
Speech to
the Third
Article.

was founded on a Vote or Resolution of the
House of Commons, and the Commons did
pass a Resolution, which was read in the House of
Articles, and the Occasion of which is
necessary to mention to you. That it was
few Years ago that there were many dangerous and
seditious Humours spread abroad of the Danger of
the Church of England, as Established by Law.
That there were several Libels dispersed over the
Kingdom, reviling Her Majesty's Administration
in Church and State; and among the rest one in-
titled, *The Memorial of the Church of England*. That
Her Majesty was pleased to take notice of these se-
ditious Reports from Her Throne to the Parlia-
ment; and that thereupon their Lordships and the
Commons on the 17th of December 1703, came to
the Vote or Resolution mentioned in the Preamble,
and an Address which was recited to this effect,
That your Lordships and the Commons in Parlia-
ment assembled, did address and lay before her
Majesty a Vote or Resolution, That the Church
of England, as established by Law, and which was
rescued from the extremest Danger by his late Ma-
jesty of Glorious Memory, was by God's Bless-
ing, under her Majesty, in a safe and flourishing
Condition; and that whoever should go about to
suggest and insinuate that the Church is in Danger
under her Majesty's Administration, is an Enemy
to the Queen, the Church, and the Kingdom.
And that your Lordships and the Commons by
their said Address did humbly beseech her Majesty
to make the said Vote or Resolution publick, and
to take effectual Measures for the punishing the
Authors and Spreaders of such malicious and sedi-
tious Reports: And that on the 20th of the same
December her Majesty was pleased to issue her
Royal Proclamation accordingly.

Now, my Lords, said he, this Article charges,
That in Opposition to, and Defiance of, and in
order to arraign and blacken that Vote or Reso-
lution, Dr. *Sacbeverell*, in his Sermon preached at
St. Paul's, does suggest and assert the Church of
England to be in a Condition of great Peril and
Adversity under her Majesty's Administration. The
Article

Article further says, 'They wickedly and maliciously insinuated that the Members of Parliament, who were then in London, were conspiring the Death of King Charles, which they voted to be out of Danger: And then by way of Parallel or Similitude, to that Design, who voted the Person of King Charles the First to be out of Danger, as the same time when they were conspiring his Death.'
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He told them he would do the Doctor the Justice to take notice of what he said in his Answer, and acknowledged as his justification. He denied that he asserted the Church to be in Danger under her Majesty's Administration; Or otherwise than from Vice and Infidelity, Blasphemy and Perjury. And that as to the Parallel in the Voice, and the Insinuation of the Members conspiring the Ruin of the Church, he said he never mentioned such a Vote, nor did he design the Parallel as laid to his Charge; but only meant, that while some Members were conspiring the Death of the King, others, contrary to that Design, voted him out of Danger; In though the Members voted the Church to be out of Danger, yet others were conspiring against the Church, and by their Vice and Infidelity were drawing down Vengeance on the Church and Kingdom: And as to that Vote made four Years before, he said, it concerned only those who did then insinuate the Church of England to be in Danger under her Majesty's Administration.

Having gone thus far, he proceeded to acquaint their Lordships with the several Passages of the Sermon, which the Commons apprehended would make out their Accusation. And the first for their Purpose was in the 5th Page; where the Doctor, just before, enumerating St. Paul's Misfortunes that befel him while he was propagating the Gospel, said, 'There is a very observable Gradation in his Sufferings, but that, of all his Calamities, the highest of them proceeded from false Brethren.' And taking Notice of the Condition of the Church of *Corinth*, then follow these Words; 'Tho' it were very obvious to draw a Parallel here betwixt the said Circumstances of the Church of *Corinth* formerly, and of the Church of England at present, wherein

which her Holy Communion was divided by fictitious and schismatical heresies. Her pure Doctrine was corrupted by her Principles of Worship and Discipline, and almost all her Sacred Ordinances, and her Priests and Ministers, (like a vast multitude, unrepresented and unrepresented) her Sacraments prostituted to Infidels, Deists, Socinians and Atheists; and this done, with Impunity, not only by our pretended Enemies, but which is worse, by our pretended Friends and False Brethren.

That there were many Particulars in that Passage, whereby the Church was said to be in sad Circumstances, and he could not tell how to apply them according to the Doctor's Way of Interpretation; for he said all these Iniquities were practised, not by professed Enemies, but by False Brethren; so he plainly shew'd who he aim'd at as the Authors of these Calamities: He excluded vicious Infidels, Blasphemers and Heretics, who were professed Enemies, and laid it upon False Brethren; and he explained what sort of False Brethren he meant: For who could prostitute Altars and Sacraments to Deists, Atheists, and Socinians, but some of his own Order? And who were to punish such Offences among the Clergy, but their Spiritual Superiors? And whether they were not Part of her Majesty's Administration, he submitted to their Lordships.

But supposing the Fact to be true, that there were erroneous Doctrines published, to what end must the World be told in this Manner, that they were vented with Impunity, but to reflect on those who should punish them; and could that be done without a Prosecution? That if the Doctor had produced any of his undeniable and ample Proofs of these Matters, (which he mention'd in his Answer) before any Court that had a proper Cognisance of them, and been denied Justice, he might have had more Reason for Complaint; but to blame his Superiors for not punishing what they might be ignorant of, and which he said he was not (and for which he might have promoted a Prosecution) seemed to retort the Guilt

Guile, and craft, which he should lay upon
that, as I have already said, no mind
That the second Passage was in Page 18th.
He was talking of a Comprehension, which was de-
signed, as he said, to unite the Church and
Dissenters, and called upon the Brethren who were
concerned in that business to maintain, and then he re-
ferred. That since this Model of an universal Li-
berty and Concord failed, and these False Bre-
thren would not carry the Convocation into the
Church, they therefore resolved to bring the
Church into the Convocation, which would more
plausibly and slyly effect her ruin. What could
not be gain'd by Comprehension and Toleration,
must be brought about by sedition and Occa-
sional Conformity; that is, what they could not do
by open Violence, they will not fail by secret
Treachery to accomplish; if the Church can be
pull'd down, it may be blown up; and no Mat-
ter, with these Men how it be destroy'd, so that
it is destroy'd. Now the Manager ask'd who
were the False Brethren that were concern'd in this
Design of Comprehension, which fail'd, and who
introduced worse Mischiefs? Did these Dangers pro-
ceed from Vice and Inidelity, from Blasphemy, and
erronious Doctrines? No, continued he, these
False Brethren were described in the Page before,
under his second General Head, to be in the Church
and State, which must be Persons in Power and
Authority; that the Expression is self imported it,
nor could they otherwise be capable of accomplish-
ing that Design of uniting the Dissenters and the
Church; to which Design, and the Author who in-
tended it, he was pleas'd to give the most vile and
scurrilous Names imaginable, and afterwards he laid
to their Charge and Intention to blow up the Church
by Moderation: And this he supposed was one
of the Vices which the Doctor mention'd in his An-
swer, as one Means of Danger to the Church.

That the third Passage was in Page 18th. While
continuing his Observations of the Danger from the
same False Brethren in Church and State, then his
Words are; 'Falsehood always implies Treachery',
'and whether that is a Qualification for any one to
be

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And, especially, while the Church and the State, Church or Crown, let our Governors and Ministers, that thing must relate to the Person, who would infringe, or even not so to be trusted with the Guardianship of the Church and Crown, and when this Reflection did not seem to be higher than the Administration, he submitted to their Dispositions.

That the next Passage was in Page 208. In these Words, 'And now are we under no Danger in these deplorable Circumstances? Must we lull ourselves under this sad Repose, and in such a fatal Lethargick Security embrace our Ruin? When, like the great Prophet of God, was surrounded with an Host of Enemies that sought for his Life, his blind Servant beheld not the Peril his Master was in, till his Eyes were opened by a Miracle, and he found himself in the midst of Horses and Chariots of Fire. I pray God we be out of Danger; but we may remember that the King's Person was Voted to be so, at the same time that his Murderers were conspiring his Death.'

That the Doctor, to excuse this Passage, said, the deplorable Circumstances we are in proceeds from the Maturity of National Sins, &c. as in his Answer. But who are mentioned in his Sermon as the Occasion of the Maturity of National Sins but the Dissenters, who, he says, are plotting the Ruin of the Church, and False Brethren joyn with them; so that here neither is the Danger asserted from Vice and Infidelity, but as it is occasioned by the Dissension from the Church, which the Law had thought fit to apprehend as no Danger to the Church; and therefore it did not become him to assert the contrary: Then as to the Parallel of the Assembly who Voted King Charles the First out of Danger, and of the Members who made the Vote about the Danger of the Church four Years ago, he said, he meant no Reflection on any of the Members who passed that Vote, because he never mentioned that Vote; and as to the Vote about King Charles, others were conspiring his Ruin than those who voted him out of Danger; so while the Parliament voted the Church out of Danger, there were other Enemies conspiring her



the last passage was in the last page, where
he was still talking of the Danger of the Church,
he quoted a Text as in the *Lamentations* (vii.)
Though she lies bleeding of the wounds she re-
ceived in the House of her Friends. Indeed, my
Lords, I can't find it there, therefore it seems to me
to be a Lamentation of the Doctor's own making;
then he goes on; Though the ways of *Sion* may
mourn for a time; and her Gates be desolate, her
Priests sigh, and she in Bitterness, because her Ad-
versaries are Chief; and her Enemies at present
prosper; though among all her Lovers she has
few to comfort her, and many of her Friends have
dealt

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dealt treacherously with her, and set before her Enemies. That he wanted these Particulars to show, that the Doctor, by the most Partisan Expressions of his own, next with these Years of Solitude, endeavour'd to represent the Church to be in the utmost Danger.

He could not omit to take notice, that there was a Suggestion in the Doctor's Answer, that the same four Years ago did not concern him, but that it related only to them, that then did assert the Church to be in Danger; that if he had minded the Words of the Vote, he would have found there was no Pretence for that Objection, for it is, 'Whoever shall go about to insinuate, that the Church is in Danger under her Majesty's Administration; which must relate to any Time during the Continuance of her Majesty's Reign.'

He came next to observe some Circumstances attending that Offence, which gave it the highest Aggravation. That Memorial which was published some Years before, and was the chief Occasion of the Vote in Parliament, was a Libel that reviled her Majesty and her Administration, as the Occasion of the Danger of the Church. Then the Author was pleased to conceal himself, and durst not avow his Doctrine; but that the Book had the Fate it deserved; and from the Ashes of that Phoenix arose another Memorial, with many of the same Virulent Expressions against her Majesty's Administration, agreeing in the whole Scope of it, as to the same scandalous purpose, but far exceeding it in Malice and Inveteracy.

That this new Memorialist had presum'd to publish his Seditious Reflections in the most open manner imaginable, first at the Assizes at Derby, and afterwards in St Pauls; and had thought fit to Print and Disperse about Forty Thousand of them over the Kingdom: From whence could this extraordinary Zeal proceed? Was it to exhort Men to revere their Governors, and to submit to those in Authority over them? Was it intended to preserve Peace and Good-Will amongst Men? To promote Charity, Brotherly Love and Affection? No, there was plain Evidence to the contrary. *Ex ore suo judicabitur.*

He told them the Reason of his Topics in that he said he intended to treat that
• Ever of the dearest People in the great Metropo-
• litan City, the Rich and Powerful Noblemen, Bish-
• ops, and Nobles of Government in Church
• and State. That they were chosen to him for
• his House-Debate, and for illustrating whole Doctrines,
• which would make their Religion Liberty, Proper-
• ty, and all that was dear and valuable, Precarious.
• That he told them further, That our Consti-
• tution of Church and State is vigorously attacked
• from without, and bravely defended from within;
• that there are Attempts upon the Friends of the
• Church to shut their Eyes and Mouths, in order
• to Undermine and Destroy them, that he thinks
• the Pulpit a proper Place for Politics, and that it
• is the Business of a Clergy-man to sound a Trum-
• pet in Sin, to cry aloud and tears not. And in
• his Preface to the 2d Sermon he explains himself
• still further upon his Topic. That the Church is
• shamefully betrayed and run down. That there
• are some still who will defend it with their Lives
• and Fortunes. And stated the Case as if there was
• an immediate Necessity to take up Arms for a Holy
• War upon this Occasion.

That this Crime was more heinous, for that there
• was the least Reason for these detestable Murmurs,
• that had been in any Reign whatever; Was there
• any Invasion or Attempt upon the Liturgy, even the
• least Ceremony of the Church, or any part of the
• Ecclesiastical Constitution? Were Her Revenues
• impair'd, or any of Her Temporal Rights violated?
• No, but their Royal Sovereign had distinguished Her
• Care for that Church in a more peculiar manner
• than any of Her Predecessors; That She had given
• from Her own Revenue to increase that of the Cler-
• gy for their more creditable Support, and to enable
• them to Preach sound Doctrine for the Welfare of
• Her Subjects; nor was Her Majesty wanting to pro-
• mote Religion, Piety and Virtue, by Her own Roy-
• al Example, the most effectual Encouragement.
• That these are the true Basis of the Church, and the
• best Pillars to support it. And what Occasion was
• there for these Reflections on Her Majesty's Admi-
• nistra-

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World abundant Proof of their Care and Vigilance to preserve that Church, of which they were the Guardians, by their Learning and unblemish'd Conduct, by their Zeal and Resolute Defence, even in the worst of Times, and against all Men. That it was very surprising that a Gentleman, whose Education had been in the Bowdoin of Learning and Religion so many Years, that he should presume in his private Capacity to contradict the Sense of the whole Nation, and call such Assertions his Superiors: To what End could such zealously persecute his Notions, if not to animate the People to the Execution of Seditious Designs?

That it were to be wished, that a Government, could be supported by Mildness and Clemency: but such was the State of depraved Nature, even the most Passive-Obedience Natures, that they were not contented to be only ungrateful for the Benefits they enjoy'd from the Church and State, but they must Rebel against Principle, and fly in the Face of that Government from which they received their Support and Protection.

That the Doctor cried aloud, and there were many others that spared not, that some had presumed to Censure this very Proceeding before their Lordships, as a Persecution of the Church: And what must be the Consequence of Tolerating such bold daring Spirits to go on in their Seditious Practices.

Mr. Compton's Speech.

Mr. Compton was the next that spoke to the Third Article, and said: Their Lordships could not but have observ'd, that it had been one of the common Arrivies of the Enemies of the present happy Establishment, who very well knew the just Value the People of this Nation had for the Establish'd Church, to Suggest and Intimate, that this Church was in a Condition of great Peril and Adversity, in order to foment Animosities, and to cover Designs which they durst not publicly own. But that now frequent soever this had been, he believ'd he might safely affirm, that this Scandalous and Seditious Assertion was never so boldly maintain'd, nor with such in-

vicious

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vidious and extraordinary Circumstances, as by the Criminal in their Lordships Bar.

That the Learned Society of which he was a Member, reap'd such signal, such immediate Advantages from the Revolution, that he could not be unmindful, he could not be ignorant of the extreme Danger from which their Laws and Liberties, their Church and Constitution were Rescued by his late Majesty; but that such was his Ingratitude to their great Deliverer, such was his Inveteracy to the Revolution, that he made that very Revolution the Period of Time from whence the Enemies of the Church first had Hopes to deliver her up to her worst Adversaries; nor did his Malignity cease there, but he endeavour'd to periwade the People, that from the Revolution to the present Time, there had been a continued Series of Contrivances to Ruin and Destroy the Church, at the Revolution, by open Violence, but Now, that is, under Her Majesty's Administration, by *secret Treachery*; and that since neither the late nor the present Reign could escape his Invectives, for what Person he reserv'd his Panegyrics, was submitted to their Lordships to determine. That he could not conclude, without expressing the Indignation the Commons had at his traducing and vilifying the last Parliament, by that Odious Parallel in the 21st Page of his Sermon preach'd at St. Paul's. That the Parliament he thus endeavour'd to blacken, was open'd with so full an Appearance in both Houses, that Her Majesty observ'd it with Satisfaction from the Throne; and that at the same Time Her Majesty with Grief observ'd the Malice of such Persons who Suggested the Church was in Danger, and desir'd the Assistance of Her Parliament to Discourtenance and Defeat such Practices; and that in Duty to Her Majesty, to secure the Quiet and Peace of the Kingdom, and to disappoint the Designs of the Enemies of our Church and Constitution, both Houses of Parliament came to the Resolution, set forth by the Commons in the Articles of the Impeachment which had been read to their Lordships: And that the same Parliament proceeded in this and other Matters, which were before them, with so much Vigour, as

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well as Prudence, that is less than six Weeks. Her Majesty graciously took Notice, that their Proceedings had had a good Effect all over Europe. And that at the Conclusion of the Session, Her Majesty, with great Goodness, declar'd how much She was pleas'd to observe their Unanimity and Zeal throughout the whole Session against every thing that tended to Sedition. That it was that Parliament that so fully concurr'd with Her Majesty in promoting and compleating the Union of the two Kingdoms; And it was the Gentlemen that compos'd that Parliament, join'd by the Representative of the other Part of the United Kingdom, who readily and unanimously assisted Her Majesty in disappointing the Attempt of the Pretender to Her Crown, whose chief Dependence was in the Restless and Arbitrary Principles of some of Her Majesty's Subjects, ill-affected to their Country.

Lord Coningsby's
Speech.

The Lord Coningsby spake next, and said, That the Sermon preach'd by the Doctor at St. Pauls, from the first Word in the Title Page, to the last Line in the Conclusion, was one false, malicious and seditious Assertion, That the Church of England was, under the last Reign, and was under the present, in the utmost Peril and Danger. That the Proclamation which their Lordships had heard mention'd, and which was design'd by the Queen, from whose Speech it took its Rise, by your Lordships and the Commons who concurr'd in it, to be a Warning to such Incendiaries, as the Criminal, not to trumpet amongst the People Suggestions so seditious, in order to cover Designs more dangerous, and which, God be praised, they were not yet strong enough, nor ever he hoped would be, publicly to own, shew'd this Malignant Offender committed that Offence in Defiance of Her Majesty, their Lordships, and the Commons.

That the Proofs, which almost every Gentleman had brought to the two preceding Articles; and those particular Instances, that had so fully been open'd by those Gentlemen, who had spoke before him to the present, shew'd that it would be in vain in him, and mispending their Lordships Time, to pretend

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He would therefore very liberally lay
before them, what were those pernicious Designs the
Doctor intended to carry, and at last hoped to bring
to pass, by his Preaching, Printing and Publishing,
not only round this Kingdom, but amongst his
Friends on the other side of the Water, that sediti-
ous, rebellious Discourse, for which he stood then
Impeached by the Commons.

That as it had been shewn their Lordships, by
the Gentlemen that made good the first Article, that
the Doctor, by reflecting on the Necessary Means
to bring about the Revolution, the Foundation on
which their present happy Establishment was built,
by asserting that Her Majesty ought to depend on
no other Title to the Crown but Her Hereditary
one, design'd by such destructive Positions, to bring
back the Pretender, with Popery, and French Tyr-
anny attending him, to govern the State. So it was
as plain, from the whole Scope of his Sermon, that
the Doctor, and all those in Combination with him,
had nothing more at Heart than to destroy the pre-
sent Church, as Establish'd by the wholesome Laws
of the Land, and that because it was most conso-
nant in its Doctrine and Discipline to that of the
Primitive Christians, of any since the Time of the
Apostles; and consequently less agreeable with the
flaming Opinions of such Firebrands, who knew not
what Spirit they were of: And this in order to set
up a Scheme of a Church agreeable to the Tyranni-
cal one they had projected for the State. A Church,
the Doctor's he meant, tho' in Pretence Protestant,
that would be ready soon to be turn'd into a Mon-
ster, by adding to it self a Popish Head. A Church
that would destroy all those that brought about, and
had since supported, the Happy Revolution. A
Church, which, upon Anti-Christian Principles,
professed Burning for Conscience sake; which the
Doctor, like those wicked Men, whose Mercies were
cruel, called wholesome Severities. A Church, that
would turn all the Blessings we enjoy'd under the
present Administration, into all those Miseries we
got rid of by the late Glorious Revolution.

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 Mr. Dolben's
 Speech.

Mr. Dolben was the next that took the Word, and said, The Accusation had been fully made out in plain and positive Words in the Doctor's Sermon, from which as well as from many other Passages, he would submit to their Lordships Judgment, whether that wicked Parallel might not justly be turn'd upon him, whether there was not more than Suspicion that he, and all his Abettors, were conspiring the Ruin and Destruction of the Church, when under the Disguise of a False Zeal they prostituted her Sacred Name, to carry on dark and deep Designs fatal both to Church and State. That he should only briefly take notice, that the Guilt of that Offence arose from a plain Contempt of Her Majesty's Proclamation, and of the Resolutions of both Houses of Parliament, moved by no Inducement, but an eager Zeal and Industry not to let any Shadow or Colour escape, that might contribute to his Part in the grand Design, to be only effected by fomenting Divisions and Distractions amongst us.

But, that in order to unveil the Doctor's Pretences, and to take away his trivial Excuses, he represented, that if the whole Legislature had not, from a full Conviction of the Church's Security and Safety, laid a severe Injunction against the Publishing such a false and pernicious Suggestion, yet evident Truth ought to have taught him not to have transgress'd in so notorious a manner. That when it appear'd that the Church had the Sanction of so many and so good Laws to establish and defend it, when the Veneration and Devotion to it, of so great a Majority of the People, was so visibly fix'd in their Hearts, that the bad Examples and provoking Behaviour of that False Brother, and of several others of the same Stamp, had not made the least Abatement or Impression to its Disadvantage; when the Parliament on all Occasions appear'd so forward and unanimous in their Zeal and Affection for it; when 'twas recommended and illustrated by the Learning, Piety, Wisdom, Charity and Christian Moderation, of so many of its chief Pastors; but above all, when 'twas under the Protection and Government of a Supreme Head, a true and constant Defender of its Faith and Discipline, who having already exposed Her

Her Royal Person to Hardships and Danger to rescue it in a Time of its utmost Peril, did continue daily to manifest the same Devotion, Piety, and tender Concern for it: That under that powerful Alliance for its Support, could ought but Malice and Envy at its Prosperity, could any one but an Incendiary or disguis'd Enemy insinuate, that the Church was not fenced and fortified with an impregnable Barrier against all Danger, from open Attacks or Violations? It was true indeed, that no humane Care or Policy could prevent the Attempts and secret Conspiracies of Intestine Traitors. That Vipers in the Bosom might sting, tho' the Body were cover'd with the strongest Armour. All that could be done was, to discover and expose the Hypocrite, to detect and punish his Crimes.

That their Lordships had now brought to their Bar a Clergy man, bound, by the strongest Ties and Duty of his Function, to Instruct and Propagate the necessary Means for the Peoples true Happiness in this World, as well as the next; That yet they should find him proved to be a Trumpeter itinerant of Sedition and Rebellion, first at *Dorby*, then in *London*; an Agent detached from that dark Cabal, whose Emissaries appear'd in all Shapes, and almost in all Places; an Assembler of such pestilential and unparallel'd Doctrines, as at once overthrew the whole Constitution both of Church and State. That he might perhaps urge a Precedent in which it had been pleaded, and from the Pulpit, that an urgent Necessity could justify the Breach of Laws; and from others, that in particular Cases they might be dispensed with; but that this Gentleman must be allowed the Infamy to have stretch'd and improv'd those pernicious Tenets to the height of making all our Laws, Liberties, Religion, and Lives, held only at the precarious Pleasure of any bold Invader; for nothing could be a plainer Exposition or Consequence, when 'twas taught, that no Oppression, no Violation could justify an Opposition to it. That the Commons had brought this Offender before them, with a View, not only to detect and punish his Offence, but to obtain an Occasion, in the most Publick and Authentick manner, to avow the Prin-

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ciples, and justify the Means, upon which the present Government and the Protestant Succession, were Founded and Established, and this more out of a generous Concern for Posterity, than for their own present Security. That they were so happy as to have a Sovereign on the Throne, whose Goodness, Justice and Piety, left no room for the least Fear or Jealousy; but they hoped the Record of this Proceeding would remain a lasting Monument, to deter a Successor, that might inherit her Crowns, but not her Virtues, from attempting to invade the Laws or the Peoples Rights; and in that, that it would be a noble Precedent to excite our Posterity to wrestle and tug for Liberty, as they had done. That he did not doubt but Her Majesty would, with the greatest Satisfaction, see the Government thus put upon a right and equal Foot, these thereby those Blessings would be secured to future Ages, which Her happy Reign had planted amongst us, since thereby she would intail a lasting Felicity on her People, and prevent those real Dangers both to Church and State which at that Time were so fully insinuated. But, that if this should not now be effectually obtain'd, and by such wholesome Severities as the Doctor applauded and recommended, he desired leave to conclude, with a juster Complaint than that in his Answer, That hard was the Fate of that People, who after having been Twenty Years in War, in Conjunction with so many great Allies, with the Expence of so much Blood and Treasure, contending only against Tyranny and Oppression, and which they might justly hope was at last subdued, should then see all Europe enjoy the Fruits and Benefits of their Labours; and at the same time, tho' her Majesty's well chosen General should at last bring home Peace, as he had so often the Lawrels of Victory, to lay with humble Duty at her Royal Feet, yet they, only they, must be rendered incapable of the common Blessing, *betrayed at home to a perpetual Condition of Bondage, by such false Brethren as were at their Lordships Bar.*

Mr. Dolben's Words excepted against.

Exception being taken at these last Words, the Lord *Haversham* moved to Adjourn to the House of Lords; and being returned, and seated as before, the

The Lord Chancellor said to Mr. Dolben that the Lords had said Notice that at the Conclusion of what he spoke he us'd this Expression, *that are at your Lordships Bar*; which words were so general, that their Lordships were of an Opinion they wanted an Explanation; to which Mr. Dolben made Answer, that those Words had relation only to the Prisoner at the Bar.

Explained.

Having thus gone through with the Third Article Mr. Serjeant Parker spoke very largely, and Learnedly, to the Fourth and last, saying

Sergeant Parker's Speech to the Fourth Article.

That Article in general, was a Charge of Sedition under several Aggravations, and made good by almost every part of the Sermon and Dedication, read before their Lordships in Evidence. That the avow'd Design of the Sermon, was to represent the extreme Perils and Distresses of the Church and Constitution from False Brethren, that were in the Administration, and countenanc'd by it. That he represented the Church, in the utmost Extremity, those Fences broke down, without which she is naked and unguarded, her Altars and Sacraments prostituted, her self deserv'd, betray'd, undermin'd, and persecuted with open Violence, bleeding of her Wounds, her Enemies openly calling for her Destruction. The Nation, sunk into the lowest degree of Corruption, swarming and overrun with Atheists, Deists, Socinians, Hypocrites, Villains, Rebels, Traitors, Correspondents with the Devil, nay, with Men that are themselves the worst of Demons. The Government, so far from applying a Remedy, that all was done Openly, with Impunity, without Discouragement: Nay, the Persons from whom the Mischiefs arose, were suffer'd to form themselves into Seminaries, to propagate Atheism and other Hellish Principles; were let into the Administration, they were in Places, Places were given 'em as the Reward of betraying their Party, they engross'd all Places, they were Persons of Characters and Stations, nay, they were Chief.

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Neither

* Exception had been taken, that the Word are might carry the Reflection to the Council and Solicitor assigned by the Lords to assist Dr. Sacheverell, who were also at the Bar.

Mem. Neither was this done in any Representation to those, that, by making new Laws, or putting in Execution the old, might regularly cure these Mischiefs; but in a popular Harangue from the Pulpit. Not in terms of Lamentation, nor as grounds of Humiliation, or in a Language that might become one that thought the only Arms of the Church to be Prayers and Tears; but with all Malice, Bitterness, Reviling, Insolence, endeavouring to raise in his Auditors the Passions himself put on, and pointing out (as far as he durst) to Arms and Violence for a Cure, and not so much as offering any other.

That since he pretended in great measure to deny or evade the Charge, it must not be amiss to look a little more particularly into his Sermon, and take a View of the Scheme of it, and several Passages therein. That the Crime he professed to show the Mischiefs of in that Sermon, was *False Brotherhood*; That the Method he proposed to treat it in, was, 1. To describe the Crime, and to show who were *False Brethren*, and upon what Account; and he considered it both with respect to the Church and to the State. 2. To shew the Dangers. 3. The Guilt and Folly of this Sin. And, 4. (That it must appear that all the Crimes and all the Treacheries he mention'd were not mere Suppositions, but Realities at that time) He undertook, as a Consequence of all, to shew what mighty Reason we had at all times, more especially AT PRESENT, to stick to the Principles of our Church and Constitution, and to beware of and mark all those *False Brethren* who desert or betray 'em.

He believ'd the first Clause of that Article would so clearly be prov'd from the Passages that more directly concern'd the second and third, that he desired, for saving their Lordships Time, to begin with those two Clauses, and then return to the first afterwards. He began therefore with the second Clause, That the said Henry Sacheverell, in his Sermons and Books, doth fassly and maliciously suggest, that there are Men of Characters and Stations in Church and State who are *False Brethren*, and do themselves weaken, undermine and betray, and do encourage and put it into the Power of others who are professed Enemies, to overthrow and destroy

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first the Constitution and Establishment. To make this out, he observed, that in coming upon his second Head, to show the great Peril and Mischief of these False Brethren both in Church and State, he asserted, pag. 21. *That they weaken, undermine and betray in themselves, and encourage and put it in the Power of our Enemies to overturn and destroy the Constitution and Establishment of both.* That this therefore ran through his whole Discourse; and, being affirm'd of False Brethren in general, must be applicable to every sort of False Brother. That if then there were any Persons of Characters and Stations, whom he represented as False Brothers, then he had in the Place mention'd, affirm'd of THEM, and undertaken to prove, that THEY weaken, undermine and betray, and put it into the Power of others to overturn and destroy the Constitution and Establishment.

And as to that, he came under this third Head, Page 21. to show the Malignity and Guilt of this Sin in the respect of the World, and began it thus, (page 21. 22.) 'What a vast Scandal and Offence must it be, to all Persons of Piety and Integrity, to see Men of Characters and Stations thus to shift and prevaricate with their Principles, and startling from their Religion, upon any occasion of Difficulty or Tryal, and like the Disciples flying from, and forsaking our Saviour, when his Life lay at stake; to see Men's Opinions sit as loose almost as their Garments, to be put on and off for Convenience; what can unwary Persons conclude from this Tergiversation and Hypocrisie, but that all Religion is State-Craft and Imposture? That all Godliness is Gain, and that the Doctrines of the Church lie not so much in her Articles, as her Honours and Revenues?

That this was a full Charge of False Brotherhood upon those Persons of Characters and Stations, and exemplifying in them the Malignity of that Crime, which was the Subject of his Discourse: That the Consequence was plain, that he there charged them with False Brotherhood, and having before asserted, that all such False Brothers weaken, undermine and betray, and put it into the Power of others to overturn and destroy the Constitution and Establishment; he had not

only

Movd. only suggested but maintain'd, that those of the highest Characters and Stations that weaken, undermine, and betray, and put it into the Power of others to destroy the Constitution and Establishment.

That in his Answer put in before their Lordships to the Articles of Impeachment he would divide the Charge in that Clause; and (1.) as to the suggestion that there were such Persons who are False Brethren, he said, That if he had said, *there are Persons of Characters and Stations that are False Brethren*, *not restraining it to the highest*, it would not be either false, malicious or highly Criminal. (2.) As to the weakening, undermining, and betraying in themselves, and putting it into the Power of professed Enemies to overturn and destroy the Constitution, he said he had not suggested *that* of Persons of Characters and Stations; but the mention of those Persons, and the Expression of *weakening and betraying in themselves, and enabling others to destroy the Constitution*, were twelve Pages asunder. That (3.) he mentioned some, which he thought did weaken and betray the Constitution, but had not said any of them were Men of Characters and Stations.

That in Answer to these Glosses he might say, that if this were meant, *not* of the highest Characters and Stations, nay though it were true too, the affirming this of them would be Criminal; and in the manner he did it, *highly* so. All subordinate Magistrates of whatever Station, might be regularly complain'd of, and call'd to account; but the meanest were not to be traduced and libell'd, nor the Government upon their Accounts. But this he offered, the Words, if not restrained to those of *highest* Characters and Stations; neither were they restrained to the lowest; and in Truth, struck all, and so were intended, as other Parts shewed. That was no Excuse, if he scandalized Persons of the highest Characters and Stations, that he did not scandalize them only. That it was no Excuse, when he spoke opprobriously, in general Terms, of Men of Characters and Stations, without distinguishing to his Auditory, to distinguish upon his Defence, and pretend he meant only some few of the meaner Sort; that is, that when he was speaking of the Mischief and Malignity of this Crime,

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As to what he wilk'd of several *Senses*, in which he said he took False Brethren in the Sermon, 'twas not at all material in *what Sense* he charged those Persons with False Brotherhood; if in *Consequence thereof* he charged them with *betraying* the Church, and empowering its Enemies to destroy it. The charging them with being False Brethren had been a *Fault*, *as that* was a Term of Reproach, which, with him, carried just as much Malignity as he pleas'd, even to *something analogous to the Sin against the Holy Ghost*, and rendering them the *worst of Demons*. But the *Stress* of that Accusation was the Treachery they were charged with as *False Brethren*. 2. That in the next Place therefore he denied that part of the Charge; and for this *shrewd Reason*; that the two Expressions were twelve Pages asunder! An Answer he admir'd to see put in upon so solemn an Occasion! As tho' the False Brotherhood he shew'd the *Danger of*, and the False Brotherhood he shew'd the *Malignity of*, had no Relation to one another, because twelve Pages asunder. 3. That he mentioned *some* that he affirm'd to be *Weakners and Betrayers*, &c. but said he did not suggest *those* to be *Men of Characters and Stations*. That all the Inference to be drawn from that was either that there were *besides those*, some *other* Weakners and Betrayers, that were Men of Characters and Stations; or that *some of those* were Men of Characters and Stations, tho' he had not said so; which was no Excuse for him. For though he had not described *every sort* of Weakner or Betrayer; and though he had not told them *which sort* of Weakner or Betrayer he rank'd the Men of Characters and Stations under; yet he had in general charged Men of Characters and Stations

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with False Brotherhood, and as False Brethren be Weakners and Betrayers, &c. He laid before them next the Proof of the Third Clause of that Article, which says, *That Dr. S. verell charges her Majesty, and those in Authority with her, with a general Male-Administration.* That every part of the Sermon made out that representing the whole Nation in the utmost Disorder and Confusion, and the Magistrates, instead of applying a Remedy, rather *increasing* the Distemper. That Page the sixth was a very home and a direct Charge upon the Government. That it came under that part of the Sermon where he was describing False Brethren with relation to the State: And when he had declared very largely what they *did* and what they *held*; he went then to what they were *suffered* to do: He said, 'These False Brethren in our Government do not singly, in private, spread their Poison; but (what is lamentable to be spoken) are *suffer'd* to combine into Bodies and Seminaries, wherein *Atheism, Deism, Tritheism, Socinianism*, with all the Hellish Principles of *Fanaticism, Regicide, and Anarchy*, are *openly profess'd* and taught, to corrupt and debauch the Youth of the Nation, in all Parts of it, down to Posterity, to the present *Reproach*, and future *Extirpation* of our Laws and Religion.

That the *suffering* these things is a direct Charge upon the *Administration*: and he in Effect declared it so, when he concluded, that this was to the *Reproach* of our Laws and Religion; that is of those that did not mend, or did not execute the Law: And he brought it home to the first Clause, when he declared the Consequence to be the *Extirpation* of our Laws and Religion.

That the Passage he before read, Page 22. concerning Persons of Characters and Stations, likewise proved this: For, what could be a greater Charge upon the Administration, than to accuse the Ministry of putting into *publick Stations* False Brethren, that *betray'd* the Church, and *empower'd* others to *destroy* it? That the Expression there was so general, as to reach *all* in publick Stations, he had before observed; and that it was so *means* might be thus made plain. That in the same Passage he

was

was apprehensive that those Puritan Behaviour should give occasion for believing Religion to be but *Smith Craft*; that is, a Stratagem us'd by the State to serve its own Ends: That the Duties of the Church lie not so much in its Articles, as in Honours and Revenues, which Honours and most tempting Revenues were in the Hands of the Crown, and those that were byas'd by them, must be byas'd by the Crown and the Administration.

Page 23. *A False Brother is represented as relinquishing his old Friends and Principles, and betraying his old Party, for the little sordid Lucre of Place or Preferment.* That here was a plain Representation of a Villain, selling his Conscience; the Price was Place or Preferment, the Buyer that paid him that Price must have the Disposal of those Places and Preferments; so that those False Brethren were not only suffer'd, but made such by the Administration.

That the False Brethren, which he mentioned, as put into Places, were put in by our Governors, he plainly suggested, Page 18. when he bid the Governors consider whether they are fit to be entrusted, especially with the Guardianship of our Church and Crown: For to what purpose was that qualified Admonition, if the Governors put such Persons into no Places at all? Admonitions to Temporal Governors, with respect to mere Matters of Government, tend only to affront them, if present, but can have no other Effect, when they are absent.

Having proceeded thus far, the Sergeant returned to the first Clause of that Article, That he suggests that her Majesty's Administration, both in Church and State, tends to the Destruction of the Constitution. That this had been made out from what had been said on the other two; for if Men of Characters and Stations in Church and State, that betray our Constitution, and encourage and enable others to destroy it, come into their Places through the Administration; if the general Male-Administration of Her Majesty and those in Authority under her, consist in part, in Preferring and Encouraging, or at least not Discouraging those Persons that betray and destroy the Constitution; the necessary Consequence was, that all those fatal Mischiefs complain'd of arose from the Administration

March. *ministration, which therefore plainly tends to the Destruction of the Constitution.*

Besides that having involv'd all those, in the description of False Brotherhood, who defended Toleration; and having declar'd the Church's *Advancement* Chief, considering *who is Chief*, and what *Provision* had been made for Continuance of the *Toleration*. His Insolence ought to be treated rather with Indignation and Contempt, and a just Punishment, than vouchsaf'd an Answer.

That as to the next Clause; 'And as a *Publick Incendiary*, he perswades her Majesty's Subjects to keep up a *Distinction of Factions and Parties*, in idle groundless *Jealousies*, and foment destructive *Divisions* among them, and excites and stirs them up to *Arms and Violence*; 'tis sufficient in short to say this. That what he advanced against the Foundation of the *present Establishment*, and against the *Administration*, was as an *Incendiary*. That he perswaded Men to keep up *Distinctions*, and instilled groundless *Fears and Jealousies* among them, was plain, from the Drift of all he said; from his Language of *Forsaking old Friends and Principles, Betraying their Party*, which he made to be the great Crime of *those in Places*, and went to show the Folly of it, *pag. 29.*

And tho' he pretended in his Answer, That he invited Schismatics into the Church, it was only on those Terms, that they comply'd with his Notions to a Tittle? He made no Allowance for Humane Frailty, for Prejudice or Ignorance, and in some Instances expressly disallow'd them; and those who were so weak as to fancy the Church in any Particular not to be in the right, tho' in all others they would sincerely and constantly conform to it, even they must continue Schismatics still: If, with these mistaken Opinions, they Communicated with the Church, they were *False Brethren*, and as such to be *abhorr'd*. And yet if they did not, they were not to be *Tolerated*. Nay, whoever had so much Compassion for such a Case, as to think it might be *Tolerated*, was a False Brother too, as defending Toleration, which was giving up *one point of the Discipline of the Church*, and encouraging Schism.

For,

For, tho' he seem'd in words to approve of an Indulgence to *Conscience truly scrupulous*, yet in reality he approved none; since he admitted not any one to have a *Conscience truly scrupulous* that suffered from him, but all such were *False Brethren, Villains*, and to be dignific'd with all the other Names of Reproach he was so liberal of.

As to *Fears and Jealousies*, those were naturally produc'd by these Representations of the Dangers the Church and Constitution were in; and as those Dangers were merely *imaginary*, those *Fears and Jealousies* were *groundless*.

As to his inciting her Majesty's Subjects to *Arms and Violence*, that he did it, was most manifest. The spreading among the People such hideous Representations of an evil Government, such Outcries, of the Church and true Religion being undermin'd, betray'd and expos'd by those in the Administration, naturally tended to Rebellion. And therefore at Common Law, it was express'd in our Law Books, to bear the People in Hand that the King's Government was *erroneous, heretical or unjust*, whereby the manner of the Government was *arraign'd or impeach'd*, was High Treason.

That the Passion, Heat and Violence in that Sermon preach'd in publick, could be intended for nothing else but to raise the Passions of those that heard it. The People were call'd upon to put on Resolution and Courage; they were assur'd the Cause at present required the bravest Resolutions; he exhorted them to contend earnestly for the Faith, having elsewhere shewn against whom, against *False Brethren*, against the Enemies he had describ'd, such as had *Places and Preferments*, were Men of Characters and Stations; such as were Chief and at present prosper'd, and denounced *Woe* against the fearful Heart and faint Hands.

That in the Dedication of the Derby Sermon he extolled those, who were for maintaining what he called *forfeaken Truth*, with their Lives and Fortunes.

And in the Sermon at St. Paul's, pag. 9, 10. the Readiness to Sacrifice Lives and Estates in Vindication of the Church, was represented as so Noble a Resolution

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Resolution, that in comparison to that, Obedience to her Precepts, that is, a good Life, was but *one thing necessary* in the Gospel, only an extraordinary pitch of Perfection, only as the selling all his Goods, and giving the Price to the Poor, was to an exact Observance of the whole Moral Law. But that in the Dedication of the St. Paul's Sermon he seem'd to *avow* this Design; he pretended not his Sermon to be Christianity, but *own'd* it to be *Politicks*, not *preaching Peace*, but *sounding a Trumpet*. For he stated the Objection, *that the Pulpit is not a Place for Politicks, and that 'tis the Business of a Clergyman to preach Peace, and not to sound a Trumpet*: What was his Answer? Did he deny the Objection, to extend to himself? No, he admitted it, and justified it by Pretence of a Divine Command, and treated the Maxim laid down in the Objection with Scorn, as contrary to the express Word of God.

That in his Answer to this last Part of this Clause, he seem'd first to represent it as *inconsistent* with his *Profession* of the utter Illegality of Resistance to the Supreme Power on any Pretence whatsoever, and with his *Professions* of Loyalty to her Majesty; and then attempted to *confute it* (as his Expression was) by a Passage in the *Derby Sermon*.

As for the latter, he thought it rather a Justification of the Charge; for the Passage asserted, *that every Man had by God and Nature, a Commission to ENGAGE the Enemies of the Constitution*: that is, (as he has painted them) the Queen and her Ministry. That the other was grounded on a Supposition that he was never inconsistent, a very civil Compliment to himself, but as it happened, very false.

But that to consider that Part of the Answer a little more particularly. As he had there manag'd the Matter, he own'd there was in *this Particular* no Inconsistency. We say, *he has stirr'd up her Majesty's Subjects to Arms and Violence*; He says *he has declar'd all Resistance unlawful*; yes---all Resistance to the Supreme Power; but he had never declar'd Resistance to her Majesty unlawful. He maintain'd the utter Illegality of Resistance on any Pretence whatsoever to the Supreme Power, but no where said, that in the Supreme Power he *included her Majesty*, or that it

was

was illegal to Resist her. The utter Illegality of Resistance to the Supreme Power upon any Pretence whatsoever, her Majesty's profess'd Enemies would come in to, and labour for; meaning only for to condemn the Resistance that was made against King James the Second, which brought about the Revolution, and any Resistance that should be made against the Pretender, whenever he came.

That those Enemies of her Majesty, had ever since the Revolution, made it their Business to blacken it, to raise Scruples in People's Minds about it, and to make the Administration odious; The same Methods were advanced by Dr. Sacheverell into the Pulpit; and if that those Methods were to appear in the greatest Assemblies, on the most solemn Occasions; if the Revolution must be attack'd on a Day when her Majesty had appointed it to be Commemorated, if her Majesty's Reign was to be arraign'd in Publick, and an Appeal made to the Passions of the People: Let it be attended with what Professions it would, it equally struck at her Majesty and the Establishment; and the Commons could not but think themselves obliged, in Duty and Gratitude to her Majesty, and in Justice to the whole Nation, to call him that us'd them thus, to a publick Account: And let, continued he, this Gentleman commend his own Loyalty as much as he pleases, 'tis plain that in this Sermon he is doing the very same Work, and in the very same Method, with those that disown Allegiance to her Majesty.

That by False Brethren in the Text of this Sermon, were meant, those who pretended to be Christians, but really were not. Dr. Sacheverell seems so to understand it; and therefore to declare those to be False Brethren in the CHURCH, that pretended to be of the Communion of the Church of England, but are not; that liv'd in its Communion, but own'd not its Doctrines and Authority. That by like Analogy, False Brethren in the STATE were such, that perhaps swallow'd the Oaths to the Queen; or if they went not so far, yet took the Benefit of her Laws, her Courts, her Protection, but deny'd her Allegiance, and were for another Prince. A just and well-manag'd Reproof of these had been a noble

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ble Topick for one that pretended all this Zeal for the Queen. But they were wholly pass'd by, they were not to be blam'd; there was no Danger from them either to Church or State. Who then, according to the Doctor, were *False Brethren in the State*? (He was hard put to it to substitute some other in their Place.) They must be only those who *one way or other* oppose the Doctrine of *Non-Resistance upon any Pretence whatsoever*, whom he described in several invidious Instances, and in all possible Terms of Reproach. That this seemed strange. 1. This being, as he stated it, an Error in the Doctrine of the Church, the holding it was only one Branch, one Instance of *False Bretherhood in the CHURCH*; and therefore not so proper to stand for a distinct Head of *False Brethren in the STATE*. 2. That the bare denying or not believing the Doctrine of Non-Resistance, supposing it true, did not denominate a Man a *False Brother in the STATE*. Supposing then that a Man should own the Queen's Title, be satisfied with her Administration, in Love with her Reign, convinc'd that She had principally at Heart his Interest, and the true Interest of all her Subjects; believed that upon the Continuance and Quiet of her Government depended the Preservation of our Liberties, and those of all Europe, and accordingly obeyed and served her with Sincerity and Zeal, and thought all Resistance to her utterly unlawful; was this Man a *False Brother in the State*, a Rebel, a Traytor, because he thought Resistance *was* lawful at the Revolution, and *might* be so whenever the same Breaches of the Constitution are repeated? Was he a Rebel to *THIS QUEEN*, because there *possibly* might happen a Case wherein he *might* resist another Prince, if that Prince should do what he was *sure* *SHE* never would?

At most, that Mistake only *exposed* such a Person more easily to be misled: He *might* be in more Danger of becoming a Rebel to a Prince, he should be dissatisfied with, but *was not* therefore a Rebel to a Queen, he loved.

How then came this single Instance of *False Bretherhood in State* to be insisted on, which at most shew'd not that the Person *was*, but only that perhaps he *might become* a *False Brother*; and those In-

stances

stranger paid over, where Persons plainly were False Brethren in State.

Further, that this Doctrine being, as the Doctor said, a *fundamental Doctrine in State*, urg'd with Warmth and Vehemence, one would expect some Inference to be drawn from it; one would expect that he who had so great a Zeal as the Doctor, profess'd for her Majesty, and had so triumphantly establish'd Absolute Non-Resistance, would have fallen in so far with the *Business of the Day*, and have made so much use of his *Favourite Doctrine*, as to dissuade from Rebellion; and when he had taken Notice of these False Steps in the Administration, that he should have perswaded the People to make proper Applications for Redress, but to be careful not to let the *Faults of the Ministry* cause them to forget their *Duty to the Queen*. But there was not the least Exhortation to that Purpose. All which seem'd strange, taking it for granted that the Doctor was sincerely zealous for the Queen. Suppose then this Zeal was but *pretended* to the Queen, but *really* for another, and that he thought the other was rightful Prince, their Lordships would find all consistent, every Expression, and the whole Procedure exactly just. That in consequence of that *conceal'd* Sentiment, though he durst not directly commend those who own'd the Pretender, yet neither would he reprove them as *False Brethren in the State*; they being, according to that Opinion, the only Persons who perform'd their Duty in it. Therefore the *true* Notion of False Brotherhood must be dropt; and instead of it, they that held Resistance lawful in Cases of *Extremity*, and particularly in that of the *Revolution*, were to be fallen upon; for they were really Rebels and Traitors in his Sense, because they directly overthrew all the Title, which the Disaffected here would fancy for the Pretender.

That as long as the *Revolution* stood unimpeach'd, that Person could have no Title, let his Pretence be as favourable as he pleas'd: If the *Revolution* stood, the *Laws* which were founded upon it stood too, and those Laws concerning the *Right and Succession* of the Crown were absolutely binding; and therefore whatever *Right* he could wish People to believe him

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to have, all that Right, all that Pretence of Right, was effectually barr'd, as all the Right, which stood in the Course of Descent before the Princess Sophia of Hanover would have had, but for the Act of Settlement, *would be bound*, whenever God, for our Sins, should take from us her Majesty without Issue.

That this Principle therefore was *fundamental* to the Pretender; and that taking the Matter thus, accounted for all that Rage against those that disputed this Doctrine, as extended to the Case of the Revolution, for his so often repeating this to be the Basis, the *fundamental Principle* of the Constitution.

That this shew'd clearly, why neither in the Sermon, nor Defence, he had once maintain'd the Illegality of Resistance to her Majesty. That this shew'd, why this *fundamental Principle* was totally forgot to be press'd by him upon the People; no Inference from it, that those Mismanagements ought not to make them forget their Duty to the Queen; nor one Persuasive to Obedience to her; nor one Admonition against the Consequence of False Brotherhood in the State, that it was apt to make People rebel; no cooling the People, with telling them That Prayers and Tears were the only Arms of the Church, that they ought to do their own Duty, submit wholly to the Queen, and those in Authority under her, and leave the rest to God. That these were the natural Consequences of this Doctrine of Non-Resistance, so violently recommended for; but not one of them pursu'd or mention'd.

And that perhaps this made him chuse to describe the Case of our Church, P. 26, in the Words of the Prophet in the Lamentations, which are in ch. 1. ver. 4. 5. (who not truly cited in his printed Sermons) *The Ways of Sion mourn for a time, and her Gates are desolate, her Priests sigh, and she in Bitterness, because her Adversaries are chief, and her Enemies A T P R E S E N T prosper.* That that Book was wrote just after Nebukadnezar's taking Jerusalem, and the Condition of the Jews then, which was thought proper by him to give an Image of ours now, was this: They were enslav'd, their King in a Foreign Country, strip'd of his Crown, and the Prince then Reigning was an Oppressor,

Oppressor, that had no other Title, but Possession and Force. And thus had the Doctor, out of his tender Concern for her Majesty's Person and Government, thought fit to express his Sentiments.

That the last Part of this Charge was that of *Wresting and Perverting divers Texts and Passages of Holy Scripture.*

That when the Doctor spoke of the *Perils of the Church*, which her Majesty, their Lordships, and the Commons, could not see, the Scripture was to be searched for a Story, that might be brought to match the Case, and to give an Opportunity, under other Names, to speak a bold Falshood concerning all these. It happened there was one remarkable Story in the Holy Scripture about a *Mistake of Danger*, but unfortunately it suited not the Case, as told there, however it gave a handle, and he could make from it a Story to his Purpose. That accordingly he said, pag. 21.

When *Elisha the Great Prophet* of God was surrounded with an Host of Enemies that sought for his Life, his *Blind Servant* beheld not the Peril his Master was in, till his Eyes were opened by a Miracle, and he found himself in the midst of Horses and Chariots of Fire. That this Story thus told is extremely happy for him, for hence the People were to understand him to be the *Inspired Prophet*; and the Queen, Lords, and Commons, blind at least, tho' not his Servants. But that the Story in Holy Writ was directly contrary, and it was only the *blind Servant* fancied they were in Danger, when really they were not. That the Story is in *2 Kings. Chap. 6.* and as told there, is thus; The King of Syria, at War with *Israel*, being inform'd, that what he said in his Bedchamber was told to the King of *Israel* by *Elisha the Prophet*, resolved to seize *Elisha*; and hearing he was at *Dorban*, ver. 14. He sent thither Horses and Chariots and a great Host, and they came by Night, and compass'd the City about. Ver. 15. And when the Servant of the Man of God was risen early, and gone forth, behold an Host compass'd the City both with Horses and Chariots, and his Servant said unto him, Alas! my Master, how shall we do? (this is the *blind Servant* that the Doctor says, saw no Danger) Ver. 16. And he

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answer'd, Fear not, for they that be with us are more than they that be with them. Ver. 17. And Elisha pray'd and said, Lord, I pray thee open his Eyes, that he may see; and the Lord opened the Eyes of the young Man, and he saw, and behold the Mountain was full of Horses and Chariots of Fire. The Doctor's Exposition was, that this Heavenly Guard, these Horses and Chariots of Fire, which were there only to defend the Prophet, were to destroy him; and from them arose the Danger, which the Doctor fancied the miraculous opening the Servant's Eyes disclosed to him.

That the next Passage was Page 26. the Words of St. Paul, Eph. 6. with which, after a Discourse where all the social and good natur'd Virtues were taught in the highest Perfection; where he had recommended, Chap. 4. ver. 2. Lowliness, Meekness, Long-suffering, forbearing one another in Love, endeavouring to keep the Unity of the Spirit in the bond of Peace, where he had commanded, v. 31. that all Bitterness, and Wrath, and Anger, and Clamour, and Evil-speaking be put away with all Malice; and v. 32. that those to whom he wrote should be tender-hearted, forgiving one another, even as God for Christ's sake had forgiven them; (v. 27.) that had forbidden giving Place to the Devil, but not to any other; the Apostle concluded, that in this Spiritual Warfare, and that they might be able to withstand the Wiles of the Devil, they should put on the whole Armour of God, because they wrestled not against Flesh and Blood, but against Principalities, against Powers, against the Rulers of the Darkness of this World, against Spiritual Wickedness in High Places:

That this Gentleman, after a Discourse full of Bitterness, Reviling, Wrath, Clamour and Evil-speaking, forbearing no Man in Love, nor forgiving any that differed from him one Tittle, and having shown other Devils incarnate, (pag. 23, 24.) the worst of Demons, other Powers, others in Places and Stations, against whom his Auditors were to contend earnestly, repeated those Words, not in the Spiritual Sense the Apostle us'd them, but as the whole Subject and Drift of his Discourse shewed as an odious Description of the Government in Scripture Words; and whether he

he meant the *Armour* in the Apostle's Spiritual Sense, any more than any of the other Words there, or whether he intended it a *literal earthly Armour*, which the Cause would make the Armour of God, he left to their Lordships to determine. However, 'twas no Defence for him, what he said that the Arms of Resistance to Princes is no part of the Spiritual Armour recommended by St. Paul, because he had plainly departed from St. Paul's Spiritual Meaning.

And that this was his Meaning, to paint here our present Circumstances in Scripture Language, was further plain from what followed, that the Church is bleeding of the Wounds which she has received in the House of her Friends, borrow'd from Zech. xii. v. 6. That the walls of Sion may mourn for a Time, and her Gates be desolate, tho' her Priests sigh, and she in Bitterness, because her Adversaries are Chief, and her Enemies AT PRESENT prosper.

That the last he should mention was that in the Dedication of the St. Paul's Sermon, where proposing it as an Objection, that it was the Business of a Clergyman to preach Peace, and not to sound a Trumpet in Sion; he affirmed that to be expressly contrary to the Command of God; and to prove that Command, cited those Words, Cry aloud, and spare not, which are in Isa. lxi. 1.

This he apprehended to be not only perverting, but ridiculing Scripture. Or if he had cited the rest of the Words, Cry aloud, and spare not, lift up thy Voice like a Trumpet, and show my People their Transgression, and the House of Jacob their Sins; he had indeed found the Word Trumpet, but little to his Purpose; for because the Prophet was to imitate a Trumpet in the Loudness, that the People might hear, was he to imitate it too as it is an Instrument of War, that they might prepare themselves for Battle? Because he was loudly to tell them their own Sins, that they might repent, was he likewise to Trumpet to them the Faults of the Government, that they might take up Arms, and redress them by Rebellion?

That if he found any other Place in the Old Testament to command the Priests to sound a Trumpet, he should refer him to the 10th of Exodus, where he should find the Priests were literally to sound the

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March. Silver Trumpets in the Army, in the Field; but he should not find they ever sounded it from the Pulpit.

He proceeded and said, there were two things in the Answer to that Article he could not omit taking Notice of. The first was in his Answer to the first Part of that Article, that charged him with Suggesting, that Her Majesty's Administration in Church and State tended to the Destruction of the Constitution; where he took great Comfort, that in this Article he was charged not with Suggesting and Maintaining, but Suggesting only, and hoped that bare Suggestions or Insinuations should not involve an English Subject in the Guilt and Punishment of High Crimes and Misdemeanours.

This was an extraordinary Step, that let a Man cast never so many Scandals and Reproaches on the Government, though in never so publick a Manner, yet if it be done by way of Suggestion and Insinuation, and the Charges not expressly maintain'd and avow'd, there was no Crime in it: or not any high one. That is, in short, Sedition, and exposing the Government, was lawful; only the Manner was to be taken care of: Don't do it directly and avowedly, for that would be dangerous; but do it by Suggestions that every Body will understand, and which will have their full Effect, and all's safe: For those that come to judge you are not to understand you, though every Body else does.

He told their Lordships there were two extraordinary Claims of Right before them, and of great Consequence, if they allowed them; one that the Clergy might sound a Trumpet in Zion, in a Military Sense, and were not to be restrain'd to the Preaching of Peace; the other, that every Englishman was at liberty to asperse the Government at pleasure, by whatever Suggestions and Insinuations he pleased; and these made by a warm Advocate for Passive Obedience, the most peaceful and submissive Doctrine in the World. That in the Case *de Libellis Famosis*, in the fifth Report, there was a Prosecution for a Libel, not indeed set forth at large in the printed Book (as was not fit) but thus far particularly taken Notice of, that it traduced and scandalized one Person dead, and him an Archbishop too, by Descriptions and

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Circumlocutions, and not in *Express Terms*; and no Body ever doubted but it was *Criminal*. But tho' there should be a greater Strictness observed in respect of *private Persons*, yet when the *Queen and Government* were concerned, when *All* lay at Stake, a Man ought to *guard* himself, and his Expressions, not to touch in the least there; and every Man that was *truly Loyal*, and desired the *Peace* of his Country, would do it: That this he mentioned to oppose the *present Claim*, though in their Case the Reflections were *plain and full*.

The other was his Lamentation at the Close, which I could not but take notice of as an insolent Reflection on the *Honour and Justice* of the *House of Commons*: 'Hard is the Lot of the Ministers of the Gospel, if when they cite the Word of God in their general Exhortations to Piety and Vertue, or in the Reproofs of Mens Transgressions, or when they are lamenting the Difficulties and Conflicts, with which the Church of Christ, while Militant here on Earth, must always struggle, the several Texts and Passages by them cited, shall be said to have been by them meant of particular Persons and things, and shall be consider'd in the most Criminal Sense, and be made by such Construction one Ground of an Impeachment for High Crimes and Misdemeanours.

That this was put into the Answer, not by way of Defence, but to make that Use which had been made of it, to print it before it came to be considered; and lay hold on that as an Handle, as had been done, to say Doctor Sacheverell had been prosecuted only for *doing his Duty as a Clergyman*, which was a scandalous Reflection. Was the Story of *Elisha*, as told by him, an honest Citation of a Passage of Scripture? Were *Enemies* that were *chief*, and the *Adversaries* that then prosper'd, no particular Persons now in being; though to the Scripture Expression he had added the Words, *At Present*, for fear the Application should not be close enough? Was this Sermon an Exhortation to *Piety and Vertue*, or was it not manifestly a *Trumpet to Rebellion*? was it a shewing the Audience their *own Faults*, that they might cure 'em and amend their Lives; or was it not plainly the *ex-*

posing

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posing the Faults of others, the Faults of their Governors, that they might hate the Persons?

Even the Doctrine of *Passive-Obedience*, was it here so warmly contended for, that People might be *dis-
ciful* and *submissive*, or that they might be *enraged* against those that deny'd it? In short, was there any *Christian Virtue* taught in it; Except their Lordships would honour with that Name the sticking, not to the Church and Christian, but according to the Doctor's own Expression in another Place, to a *Party*; and *Courage*, not only a *Passive*, which he no where recommended, but an *Active* against the Government, to which the whole Discourse incited?

That the Commons had the greatest and justest Veneration for the Clergy of the Church of England, who were Glorious through the whole Christian World for their Preaching and Writing, for their Steadiness to the Protestant Religion, when it was in the utmost Danger. That they look'd upon the Order as a Body of Men, that were the great Instruments through whose Assistance the Divine Providence conveyed inestimable Advantages to us: That they look'd upon the Church Established here as the best and surest Bulwark against Popery, and that therefore all Respect and Encouragement was due to the Clergy, and it was with Regret and Trouble, that they found themselves oblig'd to bring before their Lordships in this manner one of that Order. But that when they consider'd Dr. Sacheverell, stripping himself of all the becoming Qualities proper for his Order, nay all that peaceful and charitable Temper, which the Christian Religion required of all its Professors, deserting the Example of our Lord and Master and of his Holy Apostles, and with Rancour and Uncharitableness branding all that differ'd from him, though through Ignorance, with the Titles of Hypocrites, Rebels, Traitors, Devils, reviling them, exposing them, conducting them to Hell, and leaving them there; treating every Man that fell in his way, worse than Michael the Archangel us'd the Devil; coming himself more near the Character in St. Jude, part of which he would apply to others, despising Dominion, speaking evil of Dignities, like raging Waves of the Sea, foaming out his own Shame; forgetting, when his Text and his Do-
ctrine

Brine led to it, to recommend the Peace of his Country in a Time when all Europe was in War, and nothing could preserve us from falling into the Hands of the great Enemy and Oppressor, but our Unanimity under her Majesty; then labouring to sap the Establishment, and railing and declaiming against the Government, crying to Arms, and blowing a Trumpet in Zion, to engage his Country in Seditions and Tumults, and overthrow the best Constitution, and betray the best Queen that ever made a People happy, and this with Scripture in his Mouth: That the Commons look'd upon him by this Behaviour to have sever'd himself from all the rest of the Clergy, and thought it their Duty to bring to Justice such a Criminal; and were in no fear of being thought Discouragers of those who preach'd Virtue and Piety, because they, in the Supreme Court of Justice, prosecuted him that preached Sedition and Rebellion; or to have any Design to lessen the Respect and Honour that was due to the Clergy, by bringing him to Punishment that Disgraced the Order.

Mr. Boyle, who spoke next to their Lordships, said, that the Ground of the Accusation in the fourth Article was the Dedication of a Sermon preach'd at Derby at the last Assizes, and another Sermon Preach'd at St. Paul's the fifth of November last, that the whole Nation did then enjoy the Benefit of that happy Revolution, and all the good Subjects of her Majesty were thankful for it. One would have thought, that on such a Day, that Matter should not have been so handled as only to be expos'd; and he was persuaded, that whoever went about to asperse and villifie the late Revolution, would rejoice to see another.

Mr.
Boyle's
Speech.

That one might suppose, from the Doctor's Discourse, that the Church of England was now suffering under the most severe Persecution: That the Laws were no longer in Force; and that the whole Government was unhing'd: Aspersions more violent could not be used, if we lived in the Reign of the worst of Heathen Emperors, while we were Partakers of so many Blessings under the Government of the best of Queens. That the Prisoner at the Bar lay



laid some Strefs upon the Word *Suggest*, as expressed in the Forth Article, which had already received an Answer, and would insinuate, that there were no plain Words in the Sermon to support the Charge; but if that Objection were true, which they did not, and the Consequences drawn from it, were allow'd, he must say, Hard would be the Case of the Government, if Men might make the most odious Suggestions against it, and cast Reflections with Impunity, under the Shelter of some doubtful Expressions, and equivocal Sentences, at the same time that the Sense and Malice of the Reflections were plain to be understood, and could hardly be mistaken. That he did indeed affect in his Answer, and in one Part of his Sermon, to profess great Duty to her Majesty, but let those Expressions be compar'd with the Calumnies that were heap'd upon her Administration, and he conceived they would not mitigate his Crime, and would avail him no more than the Pretence that he made to be for Liberty of Conscience, when he condemned the Toleration; that he believed these Excuses would equally weigh with their Lordships, and his Sincerity in both would equally appear.

That it was no new Thing among those who design'd to stir up Sedition, to bestow great Encomiums on the Person of the Prince; it had been a common Practice, and the same Method was pursued in the late unhappy Times. The Incendiaries of those Days pretended, that the Protestant Religion was in Danger under that Government, as the Enemies of our Constitution cry'd the Church was in Danger under this. But every thing was in Danger from such seditious Discourses: What a Scene of Distraction and Wickedness was here displayed to the Understandings of the People, to excite and enflame them to Sedition and Rebellion? Who could sit still, if they were perswaded that *the Altars and Sacraments of our Church are prostituted to Hypocrites, Deists, Socinians and Atheists, and this done with Impunity, and without Discouragement?* What could be more provoking to all good Christians and good Subjects, than to be told that *People are suffer'd to combine into Bodies and Seminaries wherein Atheism, Deism, Tri-*
theism

theism, Socinianism, with all the Hellish Principles of Fanaticism, Regicide, and Anarchy, are openly professed and taught? No Man could think he was long to enjoy his Religion, Liberties or Property, if he could be made to believe that the Foundations of the Church were undermined, and the Government endanger'd, by filling it with its profess'd Enemies: What was the meaning of all this, but only to make out, that her Majesty's Administration, both in Ecclesiastical and Civil Affairs, tended to the Destruction of the Constitution? And what must be the Consequence of such an Opinion instill'd into the Minds of the People, but black and melancholy Thoughts, seditious Practices, and at last, open Force and Violence? That they were told, there were those that had Lives and Fortunes to maintain such Truths as Dr. Sacheverell had laid down: What those Truths were might be seen through the whole Course of the Sermon; they were such, as they apprehended did not at all tend to the Strengthening the present Government, though they might be serviceable towards Setting up another. That this was not the Spirit of the Gospel, not agreeable to the Principles of the Church of England, and they submitted it to their Lordships Judgment, whether that Sermon was not Seditious, and whether the Prisoner at the Bar was not guilty of high Crimes and Misdemeanors?

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Mr.
Smith's
Speech.

The last this Day that spoke was the Chancellor of the Exchequer, who could not but take Notice, that in a Sermon preach'd on a Day appointed to commemorate the Blessings they enjoy'd by the late happy Revolution, there was not one particular Clause to shew forth those Blessings, or the Mischiefs that were then likely to come upon us; that there was a little indeed upon the Gunpowder-Treason, but upon the Revolution nothing, nor did he take Notice of the Dangers we were in before it, in order to raise the Devotion of the People, and their Thanks to God for their Deliverance; but all the Tenor of his Discourse was to shew the Male-Administration of the Government, and the Dangers that had been coming upon the Church, ever since the Revolution;

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Revolution; so that it was plain that he had no Thoughts of the Blessings of that Deliverance, nor any Dislike to the Conduct of those Times. That that Sermon was preach'd in a Place well chosen to attempt Mischief in; that he took Notice of his Dedication, where he carried on the same Design, and own'd it on second Thoughts; he was not only warm in Preaching his Sermon, but in his Dedication, he show'd with what Spirit he compos'd it; he said, That if *honest Gentlemen will sit still, and give up their Cause for want of Courage, or a just Sense of the dangerous Attempts of our Enemies, without the Spirit of Prophecy we may foretel what will become of our Constitution, when it is so vigorously attacked from without, and so lastly defended within.* He told their Lordships that he should not explain the Meaning of those Words, *Sitting still, and Want of Courage*; but he could not but take Notice of those Words, *the vigorous Attack from without, and the last Defence within.* That he would desire to know who the Doctor took to be the Defender of the Faith; and who under that Defender was to protect the Church; it must necessarily be meant as a Reflection on Her Majesty, and upon those that under her Authority were to take Care of the Church. That the next Passage was a plain Confession of his Seditious Intentions; he told them his Business was not to preach Peace, but to sound the Trumpet. That if a Minister would declare it not to be his Duty to preach Peace, their Lordships would easily judge what his Intentions were.

That he knew it was the Business of those that were Profelytes to this Gentleman, to give out that they design'd to narrow their Obedience to her Majesty; but they were far from it, and own'd the greatest Duty and Submission to their Sovereign, but could not bear, that a Reflection should be cast upon the Resistance that was us'd at the Revolution, and they hoped their Lordships would never admit a Question to be rais'd of the Legality of it. That the Act of Settlement of the Crown depended upon that Legality, if that be illegal, the others in Consequence are void; and tho' Her Majesty had an Hereditary Right to the Crown, yet he took those Acts to be Her great Security, and he could make



no question, but that if the Foundations of these Acts were shaken, the Doctor would soon find another Hereditary Right to resort to.

That the Toleration was certainly grounded upon the best Principles, upon a Principle of Religion and a Principle of Policy. He thought every Body would allow, that nothing could establish Peace in a Kingdom so well, as the granting Ease and Quiet to Mens Consciences; if they pay'd due Submission to the Government, they ought not to be persecuted for their Religion; it was for Her Majesty's Interest and Honour; for how could Her Majesty be the Head of the Protestant Interest abroad, if Protestants were not protected at home? That it was the Observation of the Lord *Clarendon*, in his History, that some eminent Clergymen prest King *Charles* the First to make Distinctions among Protestants, and that by their Advice his Ambassador in France was order'd not to go to the *Huguenot* Churches there, as he us'd to do; that he said, it was as an Imputation on those that gave the Advice, and made this Remark, That it was with a Design of an Union with the Church of *Rome*, which prov'd of very ill Consequence to his Affairs at that time.

That there were some People, who would not allow the Church to be out of Danger, whilst the Civil Magistrate had the Government of the Church; that these appear'd publicly and in Print, they cancelled the Queen's Supremacy, deny'd the Authority of the Laws, and erected a Church Independent on the Civil Government; of this Church he took the Doctor to be, and very properly for his Purpose, for here he might thunder out his Bulls and Anathemas without Controul. here was a Field for him to open his Commission in, where he might sound his Trumper, and not preach Peace.

But, that the Commons could never admit the Church, as Established by Law, to be in any Danger during her Majesty's Piety and Care of it; by the Reverend Bishops, who were so diligent and watchful in their Functions, and which would always have the utmost Assistance of the Commons and their Lordships to support and mainrain it. That as for their Independent Church, he hoped it would
ever

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ever be in Danger; and could not but think that wholesome Severities were very proper to be apply'd to the Broachers of such Seditious Doctrines; they were Popish Principles, and if they should obtain here would certainly bring in Popery along with them.

Lastly, he could not conclude, without taking Notice of a very unjust Reflection made upon the Commons in the Doctor's Answer, wherein he charged them with Designing to restrain the Ministers of the Gospel from doing their Duty, in recommending Piety and Virtue to their Auditors. That these were Doctrines so proper to come from the Pulpit, that those that recommend them, would always meet with the Countenance and Encouragement of the House of Commons; but that when a Clergyman acted contrary to his Function, and instead of reprov'g Vice and Immorality, took upon him to reproach the Government; when instead of preaching Peace, and Charity, and other Moral Virtues, he took upon him to raise Jealousies, foment Divisions, and stir up Sedition: It was high time for the Justice of the Nation to put a Stop to it.

Mr. Lech-
mere's
Speech.

The Lords upon the Conclusion of Mr. Smith's Speech, adjourning to their House, and coming in to the Hall next Day, Mr. Lechmere, who was the Last of the Managers to speak, summ'd up the Proof of the four Articles of Impeachment, and said, That the Charges, contain'd in the precedent Articles, were particular and distinct; of so high a Nature in themselves, and of such eminent Consequence to Her Majesty and Her Government, that they held themselves oblig'd, to treat each of them, with all imaginable Clearness and Solemnity; and that from that true Zeal and necessary Concern, with which the Commons, upon that great Occasion, were so justly inspir'd, for the Honour of Her Majesty, and the Prosperity of Her Kingdoms. That the Subject of the 4th Article was laid down in General Positions, some of which were the Result and Consequence of former Articles; and this would make it necessary to remind their Lordships of the Passages produced in support of them: That the Application

of

of them, to the several Branches of the Charge, was easy and obvious! That the further Passages, that were the Day before pointed out to them, were many in number, and the Assertions positive, scarce liable to any Constructions, more innocent in themselves, or more favourable for the Prisoner, than what had been put upon them: But that tho' the flagrant Parts of the Prisoner's Discourses had been distinguish'd to them, their Lordships could not fail of discerning that implacable Enmity, that run through the whole: How little would their Lordships find in it of the Spirit of the Gospel, of the Temper of a Christian, or a good Subject, much less of a Messenger of Peace; no, when the Heart was poisoned, the Corruption was diffused throughout; when Principles were delivered from the Pulpit, that struck at the Root of the present Government, and our future Establishment, and were taught as Fundamental Rules both of Law and Conscience, what Kind of Proofs, what Exhortations were to be expected from such a Preacher? Surely, such only, as might create universal Dissatisfaction, would disquiet the Minds, and tend to pervert the Obedience of the Subjects; such only, as should be most likely to cherish and cultivate those Seeds of Sedition, which, when sufficiently propagated, and brought up to their full Growth, could sufficiently terminate in nothing less than a Total Destruction.

He proceeded, and said, That in opening the Charge, they considered the Doctor in the Condition of a Person accus'd, but the Proofs having been produced, and the Evidence being unquestionable, even from his own Mouth, and by the Endeavours of other Gentlemen, to whose Provinces the several Tasks had fallen, the false Colours of his Discourse being taken off, and his Scheme reduced to its true Consistency, he desired leave to represent him to their Lordships in a true Light, and in his proper Colours. That their Lordships now saw this Gentleman, under the Reign of the greatest and best of Princes, that ever wore a Crown, whose Title to the Throne stood upon a more solid and indisputable Foundation than that of any Prince upon Earth, guarded and defended by the best Laws in

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the World, and the entire Affection of all her true Subjects, and which none could draw in question with any other Design than to weaken its Support: That they saw him under an Establishment and Constitution, excellently contrived and adapted to answer all the good Ends of Government, and which had withstood the open Assaults of Arbitrary Princes, and the more crafty Attempts of Papal Encroachments; And which, since the true Religion was Established among us, had been preserved in despite of the dangerous Endeavours of Papists, by dividing Protestants, to make way for its Destruction; A Constitution, which happily recovered it self, at the Restoration, from the Confusion and Disorders, which the horrid and detestable Proceedings of Faction and Usurpation had thrown it into, and which after many Convulsions and Struggles, was providentially saved at the late happy Revolution; and by the many good Laws pass'd since that time, stood now upon a firmer Foundation; Together with the most comfortable prospect of Security to all Posterity, by the Settlement of the Crown in the Protestant Line: That their Lordships had found this Person at a time when the Church of *England* as by Law Established was in perfect Prosperity and Safety at Home, and in higher Reputation Abroad, than in any Age that had gone before it; At a time, when the enjoy'd Peace and Tranquillity, and all the good Effects of a prudent and successful Administration, demonstrated by the Harmony and Unanimous Endeavours of all her Majesty's true Subjects to support it, In the most solemn and publick Manner, levelling the most virulent Discourse against her Majesty's Title to the Crown, and against our present Establishment, and calculated to favour the Pretention of another. That their Lordships found in it the same Principles reviv'd and avow'd in the same dangerous Extent by him, as in a late Reign, by the profess'd Instruments of Popery and Arbitrary Power, and apply'd in Condemnation of the glorious Work of the late Happy Revolution, which delivered us from them;

That their Lordships had found him, Arraigning the Honour of Her Majesty and her Parliament,

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asperſing her Adminiſtration both in Church and State, and with all imaginable Ardour and Vehemence ſtirring up Sedition, and exhorting to Rebellion; and that, in the Name of God Almighty, as a Perſon commiſſioned from Heaven to that End, and in the moſt prophane and proſtitute Manner, abuſing and wreſting Scripture to thoſe impious Purpoſes. 'Twas on thoſe Grounds, that the Commons had charged the Crimes to have been committed by him with an Intent to undermine her Maſteſty's Government, and to ſtir up Arms and Violence: And if their Lordſhips wanted further Evidence of this; Let him remind them of the Rebellion that had been rais'd, and that High-Treaſon that was committed, the Night before, by thoſe Perſons who abetted the Priſoner! That he could not aggravate the Offence, their Lordſhips would duly conſider the height and Quality of it, then would think of a Satisfaction ſuitable to that, and to the juſt Expectation of the Commons.

That the Nature and Length of that Proceeding having occaſion'd many Interruptions, they were yet aſſur'd, that no Miſconſtruction would be permitted by their Lordſhips, of what might have fallen from any of them: That they likewiſe took Notice to their Lordſhips, that the Commons had very readily acquieſc'd in their Appointment of Council to aſſiſt the Priſoner:

That they deſired to put their Lordſhips in mind of thoſe Felicities, which in their Opinions, accompanied this Proſecution; when they ſaw ſo many of their Lordſhips the Judges of that Great Cauſe, who had ſo great a Share in that Deliverance, which they were now called upon to vindicate; ſo many others of their Lordſhips, the Sons of thoſe Fathers who joined in it; and who had the ſame Blood ſtill running in their Lordſhips Veins: And when they conſidered that firm and ſteady Zeal, which every one of their Lordſhips had ſhewn in Support of the preſent Settlement, what Doubt could they entertain of their moſt impartial Juſtice?

That on t'other Hand, they had before their Eyes the many good Conſequences which that Part, which the Commons had taken on themſelves, would

March.

certainly produce; that Strength and Vigour 'twould add to the great Affairs of the Kingdom, and of all Europe, at this Critical Juncture, when the World should see that the Commons of *Great Britain*, who had been so unanimous in Defence and Support of the Common Cause of Peace and Liberty Abroad, were thus zealous to find out and extirpate that Malignant Humour, which alone could endanger it at Home: That, whilst the Common Oppressor felt the Effects of her Majesty's Arms, the intestine Enemies of the Nation: and of her Government, (in the Instance of the Prisoner) might see and consider the Force and Weight of the highest Resentment of the Commons. That those good Effects would receive yet greater Enforcements from their Lordships Judgment; which, when it became Publick, would be an effectual Confutation, or an unanswerable Treatise against the pestilent Doctrines advanced by the Prisoner. That the Firmness of their Proceedings would give the same Steadiness and Vigour to all other Parts of the Administration, which would henceforward strive to imitate their Lordships in so great an Example; and 'twould strike due Terror on those Minds in which the same destructive Errors had taken Root. What Comfort and Peace must it bring to all her Majesty's faithful Subjects, to see her Majesty's undoubted Title, the Wisdom of her Administration, and the Protestant Succession, so effectually supported by their Lordships Judgment? He concluded that the Commons reserved to themselves the liberty of replying to what should be offered on behalf of the Prisoner, and of every other Legal Advantage that should arise to them in the Progress of their Impeachment.

Here Sir *Simon Harcourt* and the rest of the Council for the Prisoner being at Liberty by my Lord Chancellor's Directions, to proceed in his Defence, and Sir *Simon* humbly representing to their Lordships, that the Day being far spent, it would be impossible for them to go through the very first Article so as to finish it in any reasonable time, the Lords adjourned to their own House. But before we come to the Defence made by the Doctor's Council, we must

must take some notice of the great Tumults that happen'd upon the Account of this Tryal. Either Dr. Sacheverell's Friends, or the Enemies to the Government, or both, had industriously infus'd a Notion into the Minds of the People, that the Church of England was attack'd through his sides, so that many well-meaning Persons, truly concerned for its Prosperity, could not forbear expressing their good Wishes for his Deliverance: And this concern both for the Church, and the afflicted Asserter of its Rights, was almost universal among the Fair and Tender-hearted Sex; whose Natural Compassion, might, in many, be encreased by the Fame of the Comeliness of his Person; which was propagated by several Prints that were made of his Face, and publickly sold in the City and Suburbs.

March.

Dr. Sacheverell grows very popular.

On the other Hand, publick Prayers had, in several Chapels been put up, *for the Deliverance of a Brother under Persecution, from the Hands of his Enemies*: All which rendred the Doctor so popular, that when he went first to Westminster-Hall in a Friend's Chariot, great Numbers of the Mob attended him thither, and conducted him back to his Lodgings in the Temple with loud Huzzas and Acclamations for his Prosperity and Deliverance; and it was observed, that the Queen going that very Afternoon to the House of Lords, to give the Royal

Feb. 27.

Assent to some Bills, a great Multitude of People gathered about her Majesty's Sedan, crying out, *God bless your Majesty, and the Church, We hope your Majesty is for Dr. Sacheverell.* The next Day the

Feb. 28.

Mobb was still more numerous and louder about Dr. Sacheverell's Coach, and in the heighth of their petulant Zeal, obliged all Persons they met to pull off their Hats to him, and abus'd those that refus'd to comply; among whom there happen'd to be some Members of both Houses of Parliament. The same Evening the Rioters went to the Presbyterian Meeting-House of Mr. Burgess, in a Court near *Lincolns-Inn-Fields*, of which they broke the Windows; and committed several other Outrages and Disorders.

The Mobb insult several Persons in the Streets, and break the Windows of Burgess's Meeting-House.

On the first Instant their Fury being encreased with their Numbers, they advanced to greater Enormities,

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They pull down the same, and burn the Pulpit, Pews, &c.

Several other Meeting-Houses pull'd down and destroy'd.

The Mobb threaten to pull down several private Houses, and to attack the Bank.

The Queen orders her Guards to disperse the Mobb.

mities, and even *Overt-Acts* of Rebellion : For after they had attended upon Dr. *Sacheverell* as usual, they repair'd to the Meeting-House before-mentioned ; broke it open, pull'd down the Pulpit, Pews, Benches, Wainscot, Sconces, Casements, in short, all that was combustible, and having carried all the Materials into *Lincolns-Inn-Fields*, made a Bonfire of them, with repeated Cries of *HIGH CHURCH* and *SACHEVERELL*. About the same time other Parties of the Mob demolish'd and destroy'd several other Meeting-Houses, particularly those of Mr. *Earl*, in *Long-Are* ; Mr. *Bradbury*, in *New-street*, *Shoe-Lane* ; Mr. *Taylor*, in *Leather-Lane* ; Mr. *Wright* in *Black-Fryars* ; and Mr. *Hamilton* in *Clerkenwell* ; batter'd and plunder'd the Houses of several Dissenters ; and were just ready to enter Sir *Edmund Harrison's* House in *St. John's Court*, but that the Guards came in the nick of Time ; they threatned to pull down the Houses of the Lord Chancellor, Earl of *Wharton*, Bishop of *Sarum*, Mr. *Dolben*, and other Managers for the House of Commons against the Doctor ; and talk'd of destroying Mr *Hoadly's* Church and House ; *Salters-Hall*, Mr. *Shore's*, and other Meeting-Houses in the City, and even of attacking the Bank of *England* : Of which the Directors thereof being apprehensive, they took the necessary Precautions for its Security ; and sent to *Whitehall* for Assistance. It's not to be doubted but some Papists, Nonjurors and other disaffected Persons under-hand abetted these Tumults, and it was positively affirmed some Persons were seen on Horseback encouraging the Mobb and throwing Money amongst them, of which there never was any Account had, or farther notice taken.

Upon the first Intimation of these Disorders, the Earl of *Sunderland*, Principal Secretary of State, went immediately to the Queen, who commanded his Lordship forthwith to send her Horse and Foot-Guards to disperse the Mobb ; and the Earl representing the Danger of leaving her Majesty's Sacred Person unguarded at that Time (it being between Ten and Eleven at Night) her Majesty generously answer'd, *God would be her Guard*. The Earl being returned to his Office at the Cock-pit, where were also the Lord Chancellor, the Duke of *Newcastle* and

and some other Noblemen, his Lordship sent for Captain Hersey, an Exempt, who then commanded the Guard; and ordered him to Mount immediately, and go and disperse the Mobb. The Captain making some scruple to obey these Orders, unless he were reliev'd, alledging, *He was the Queen's Body Guard, and must be answerable for any Accident that might happen*: He was told, this was the Queen's express Command; and both the Earl and the Lord Chancellor representing the Danger of Delays, he acquiesc'd, and only desired, that the Secretary would be pleased to give him his Orders in Writing.

His Lordship gave him his Word of Honour, he should have them the next Morning, with which the Captain was satisfied; and only ask'd, *Whether he was to Preach or Fight the Mobb?* If the first, *he desired some better Speaker might be sent along with him, for he was but an indifferent Orator*; if the latter, *Fighting was his Trade, and he would do his best*. To this the Earl reply'd, *He must use his Judgment and Discretion, and forbear violent Means, except in Case of Necessity*: And as the Captain was going out, my Lord Sunderland whisper'd him, and bid him send a Party to the Bank; which the Captain did accordingly, and sent thither a Corporal with Six Horse-Grenadiers.

Before the Horse and Foot Guards could reach *Lincolns-Inn-Fields*, the Officers had Notice that the Mobb that was gather'd there, was retir'd to *Drury-Lane*, where they were making another Bonfire with the Utensils of Mr. Earl's Meeting-House: Whereupon they bent their March that way. At their approach most of the Mobility fled before them, and only one of their Ring-leaders, George Purchase by Name (a Bailiff, who had before been a Life-Guard Man, but was dismissed upon some Misdemeanour) offer'd to make a stand, with a few of the most resolute of his Followers crying out to the Guards, *Damn ye, who are you for, High-Church or Low-Church, or Dr. Sacheverell? And encouraging the Mobility with these Words, Come on, come on Boys, I'll lead you on; I am for High Church and Sacheverell, and I'll lose my Life in the Cause*. After this he ran resolutely with his Sword in his Hand, and made a full Pass

March.

A Guard sent to the Bank.

The Mobb dispers'd in Drury-Lane. Only one Purchase makes a stand.

The Rabble scatter'd in other Places.

March.

at Captain Hansberg; but was prevented by George Richardson, one of the Life-Guard, who struck down his Point.

From *Drury-Lane* the Guards marched towards the City, and met with some Opposition near *Fleet-Ditch*, from the Mobb that were rifling *Wright's* Meeting-House in *Black Fryars*; but having cut and slash'd some of the most resolute, and secur'd some others, the rest were soon scatter'd; and the Guards patrolling all Night, prevented any further Mischief. I have seen Detachments of both Horse and Foot march on the following Nights, up and down the City, and the Skirts of the Suburbs, with that awful Solemnity and Decorum, as if they were going to Battle: Such Apprehensions had seized the Minds of most People concerning the Dangers of this Rebellion, as it may not unjustly be termed.

The Whigs afterwards industriously gave out, that the Queen had declared she would make good the Damages done to the Meeting-Houses out of her own Pocket; which gave the Tories, who by that time knew better, an Opportunity to sneer and ridicule their Credulity: However it was confidently reported that one who proved to be a Member of the New Ministry, urged some of the Dissenting Ministry to apply to her Majesty on that account for Relief, and he would promise them Success; which they refused to comply with.

The Guards doubled. But to return, on the 2d, the Horse and Foot Guards at *Whitehall* and *St. James's* were doubled, and the *The Train'd* Trained Bands of *London* and *Westminster* under *Band under Arms.* Arms, and placed in divers Posts, where they continued as long as *Dr. Sacheverell's* Trial was depending: which both lessen'd the Number of the Mutineers (many of the said Trained Bands being Men of low Degree hired by substantial House-keepers, divers of which Hirelings had just before been making up the Number of the Mobb) and kept the rest in Awe.

Address of the Commons against the Tumults. The same Day the Commons resolved, ' That an humble Address be presented to her Majesty, ' that she would be graciously pleased to take effectual Measures to suppress the present Tumults ' set on Foot and Fomented by *Papists, Nonjurors,* and

and other Enemies to her Majesty's Title and Government; and to issue her Royal Proclamation, promising a Reward to such as should discover and seize those Incendiaries as had been the Occasion of the late Tumults and Disorders. Which Address having by their Order been presented to the Queen that Afternoon, her Majesty returned this gracious Answer:

HER Majesty is extremely sensible of the great Care and Concern of the House of Commons for the Publick Peace upon this Occasion; and as her Majesty has a just Resentment at these Tumultuous and violent Proceedings, so She will take immediate Care for suppressing them; and will lose no Time in endeavouring to find out the Authors and Abettors, in order to bring them to Punishment; and to that purpose will cause a Proclamation to be published, according to the Desire of this House.

The Queen's Answer.

The Commons were so well pleased with this Answer, that they unanimously resolved to present an Address of Thanks to her Majesty for the same; and appointed a Committee immediately to draw up the said Address; which they did accordingly in the following manner:

Most Gracious Sovereign,

WE your Majesty's most Dutiful and Loyal Subjects, the Commons of Great Britain in Parliament assembled, out of a deep Sense of the repeated Instances of your Majesty's unparall'd Goodness, beg leave to return our most Hearty Thanks for your most Gracious Answer to our late humble Address, and for your effectual Care in suppressing those Rebellious Tumults which were set on Foot and fomented by Papists, Nonjurors, and other Enemies to your Majesty's Title and Government, in Defiance of the just Prosecution of the Commons against Dr. Henry Sacheverell. And we must humbly beseech your Majesty to believe, that as this Prosecution proceeded only from the indispensable Obligation which we your faithful

The Commons Address of Thanks to the Queen.

March.



‘ faithful Commons, looked upon our selves to lie under, not to sit still and patiently see the Justice of the late happy Revolution, and the Glory of our late Royal Deliverer reflected upon, your Majesty’s undoubted Title struck at, your Administration, by which so many Blessings are derived upon us, endeavoured to be rendred odious to the People, and represented as destructive of the Church and Constitution, the present Establishment and *Protestant* Succession undermin’d, the Resolutions of Parliament treated with Contempt the Governors of the Church, and your Majesty as Supreme, aspersed and vilified, the Toleration exposed as Wicked, and Sedition insolently invading the Pulpit :

‘ So the Maintenance of your Majesty’s Right, the Safety of your Person, the Quiet of your Government, the Continuance of our Happiness under your excellent Administration, the Succession in the *Protestant* Line, the Support and Honour of the Church of *England* as established by Law, with that Toleration which is by Act of Parliament allowed to *Protestant Dissenters*, shall be our constant Care and Concern: And We will upon all Occasions venture all that is Dear to us in Defence of such inestimable Blessings,

Sir *Thomas Parker* who drew it, having on the 4th reported this Address to the House, it was mov’d, That in the first Paragraph it might be suggested, That the *rebellious Tumults were set on Foot and fomented by Republicans*, as well as by *Papists* and *Non-jurors*, as was mentioned therein : But the Question being put, That the said Address be recommitted, it pass’d in the Negative, by a Majority of 270 Voices against 116, and it was order’d, That the said Address should be presented to the Queen, which was done accordingly the same Day.

The Proclamation which Her Majesty order’d to be publish’d on that Occasion was as follows :

ANNE

March.

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The Queen's
Proclamation for
suppressing
the Tumults

WE being informed, That the Streets and Passages leading through our Cities of London and Westminster, and Suburbs thereof, have been filled of late with great Numbers of loose, idle, and disorderly Persons, who resort thither in Crouds, and in a riotous tumultuous manner offer Violence to the Persons and Coaches of divers of our Liege Subjects, whose lawful Occasions require them to pass and repass the same, which at this time greatly tends to the Obstruction of the Course of Justice in our High Court of Parliament; and that among these disorderly Rabble there are divers Papists, Persons disaffected to our Government, who have never taken any Oaths appointed by Law to be taken, to bear Faith and true Allegiance to us; but in open Defiance of our Regal Authority, as Enemies of our Crown and Dignity, have so far transgressed the known Laws of this Land, as in a rebellious manner to appear in many Places of our said Cities and Suburbs, bearing Weapons in their Hands, and with Force breaking open and entring divers Houses and Edifices belonging to our Subjects, in several Parts of our said Cities and Suburbs: And having received an humble Address from our Commons of Great Britain, in Parliament assembled, expressing their just Detestation and Abhorrence of these wicked, seditious, and traiterous Practices; and beseeching us, That we would be graciously pleased to take effectual Measures to suppress these Tumults, set up and fomented by Papists, Non jurors, and other Enemies to our Title and Government, as aforesaid, and to issue forth our Royal Proclamation, promising a Reward to such as shall discover and seize these Incendiaries as have been the Occasion of the said late Tumults and Disorders: We taking the Premises into our Royal Consideration, by the Advice of our Privy Council, and in Pursuance of the said humble Address of our said Commons in this present Parliament assembled, have thought fit to put forth this our Royal Proclamation, to declare, That all such Rioters,

Traitors,

March.

‘ Traitors, and Rebels, and their Accomplices, Adherents, Abettors, and Advisers shall be forthwith proceeded against according to the utmost Severity of Law. And we do hereby strictly charge and require all our good Subjects, to use their utmost Endeavours to seize and apprehend the Persons of all such Rioters, Traitors, and Rebels, and their Accomplices, and to secure the same in safe Custody, until our further Pleasure shall be known. And we do hereby promise and declare, That who’ere shall discover any such Incendiaries as have been the Occasion of the late Tumults and Disorders, or have been active in exciting, and stirring up the same, so as he or they may be brought to Justice, shall have and receive, as a Reward for such Discovery, the Sum of one hundred Pounds. And we do also strictly charge and command all *Papists*, who shall be above the Age of sixteen Years, that they do, according to the Statutes in that Behalf made, repair to their respective Places of Abode, and do not thence remove or pass above the Distance of five Miles, until our Will and Pleasure be farther declared: And that all such *Papists*, and Persons reputed so to be (except Merchants, Traders, settled Housholders, and other Persons excepted in the Statutes made in this Behalf) do on or before the eighth Day of this Instant *March*, depart out of our said Cities and Suburbs of *London* and *Westminster*, and from all Places distant Ten Miles from the same. And we do hereby command the Lord Mayor of *London*, and all other Justices of the Peace, and other Officers within the said Cities, and ten Miles from the same, that they make Search for, and proceed against all such *Papists*, and other Persons disaffected to our Government, as they shall find, and be informed are not demeaning themselves according to Law. And we do likewise command all Justices of the Peace, and other Officers in that Behalf authorized, to tender unto such Person or Persons as they shall find, or be informed are suspected not to be well affected to our Government, the Oaths that are appointed by an Act made in the first Year of the Reign of their late Majesties King

‘ *William*

William and Queen Mary, Intituled, [An Act for *March.*
Abrogating the Oaths of Allegiance and Supremacy,
and Appointing other Oaths.] And in Case any such
 Person or Persons shall refuse to take the same, we
 do hereby direct and require due Prosecution to be
 made thereupon. And we do hereby strictly charge
 and require all Deputy-Lieutenants, and Justices
 of the Peace, that they do frequently meet to in-
 quire into, and inform themselves of the Affairs
 of their respective Districts, in relation to the
 Premises; and that they take especial Care to
 preserve the Peace, and prevent all unlawful Meet-
 ings and riotous Assemblies; and that from time
 to time they do give Informations of their Pro-
 ceedings and Discoveries to the Lords of our
 Privy Council. And we do likewise charge and
 command all Lord-Lieutenants, Deputy-Lieute-
 nants, Sheriffs, Justices of the Peace, Mayors,
 Bailiffs, and all other our Officers Civil and Mili-
 tary, strictly to put in Execution all Laws and
 Statutes whatsoever, now in Force, against Treas-
 ons, traiterous Conspiracies, Riots, Routs, un-
 lawful Assemblies, and other Breaches of the Peace,
 and against such Persons as have refused, or shall
 refuse to take the Oaths required by Law.

Given at our Court at St. James's this Second Day of
March, in the Eighth Year of our Reign.

Pursuant to this Proclamation, several Persons
 who had been active in the Tumults were apprehended, and committed to divers Prisons, particularly *George Purchase*, a Bailiff; *Daniel Dameree*, one of the Queen's Watermen; and *Francis Willis*, a Footman, in *Hatton-Garden*: Which Three were some Time after try'd for High-Treason; as will be related in its proper Place.

Several Persons concern'd in the Tumults apprehended.

In the mean time the Lords coming down into the Hall on *Fryday 3d*, and the Doctor being then attended thither with the lesser Sort of Mobility, *Sir Simon Harcourt* began to speak in his Defence as to the first Article exhibited against him by the Commons, and said, it contain'd three distinct Charges; First, "That he Suggested and Maintain'd, that the Necessary Means used to bring
 " about

Sir Simon Harcourt's Speech in the Dr's Defence as to the first Article.

March.

“ about the late Happy Revolution were odious and unjustifiable. That their Lordships had been inform'd, that by the *Necessary Means*, the Commons intended his late Majesty's Glorious Enterprize for Delivering this Kingdom from Popery and Arbitrary Power, and the Subjects of this Realm well affected to their Country, joining with, and assisting him in that Enterprize; or in a shorter Description, that these *Necessary Means* were the Subjects Resistance to their Unfortunate Prince then upon the Throne. That of this Resistance the Doctor had made no mention; that he had indeed affirm'd the utter Illegality of Resistance on any Pretence whatsoever to the Supreme Power; but it could not be pretended, that there was any such Resistance used at the Revolution; the Supreme Power in this Kingdom being the Legislative Power, and the Revolution took Effect by the Lords and Commons concurring and assisting in it.

That One of the Managers allow'd, that the Doctor had guarded himself by confining his Assertion to the Supreme Power; that another said, that the Doctor had asserted the Illegality of Resistance to the Supreme Power on any Pretence whatsoever, which Supreme Power he admitted was the Legislative, and he declar'd, if he had meant that Power, he should not have differ'd from him; but that the Doctor meant the Supreme Executive Power.

That another Learned Gentleman was of Opinion, that the Doctor, in his Assertion of the Illegality of Resistance to the Supreme Power, did really neither mean the Legislative nor Executive Power, but that he had the Pretender in his View.

That if there was a double Sense in those Words, whether they were Criminal or not, the Law of *England* was more merciful, than to make any Man a Criminal, by construing his Words, against the Natural Import of them, in the worst Sense. And it was most reasonable, that Ministers of the Gospel, who had their Commission from God, and spake in the Name of God, should have the most candid Interpretation of whatever they said.

He

He hoped, that if the Manner of that solemn Prosecution had not alter'd the Nature of Things, he must insist, That by the happy Constitution under which they lived, a Subject of England was not to be made Criminal by a labour'd Construction of doubtful Words; or when that could not serve, by departing from his Words, and resorting to his Meaning. Too many Instances there were of that Nature before the late happy Revolution; and so he instanc'd in the Case of Sir S. Bernardiston, That what he had hitherto offer'd, was, with Relation to those Words, *The Supreme Power*; but that which he took to be the main *Objection* in that Case, was, that the Doctor's Assertion of the Illegality of Resistance must be necessarily understood with Reference to the Executive Power: And if it were utterly illegal, in any Case, upon any Pretence whatsoever, then 'twas unlawful at the Revolution; and from thence the Consequence was drawn, that the Doctor was guilty of the first Charge, of maintaining, *That the necessary Means used to bring about the happy Revolution were odious and unjustifiable.*

My Lords, said he, There is nothing further from our Hearts, nor is any thing less necessary to the Doctor's Defence, than for us to dispute or to call in question the Justice of the Revolution; we are so far from it, that we look on our selves to be arguing for it, whilst we are endeavouring to shew your Lordships, that the Resistance used at the Revolution is not inconsistent with the Doctrine of the Church of England, and with the Law of England, and that the Doctor uses no other Language than what they both speak. When your Lordships have laid aside what was urg'd the second Day, to shew the Justice of the Revolution, and to aggravate the Doctor's Offence, supposing him guilty, this Matter will lie in a very narrow Compass; and I am in hopes there will not appear to be so great a Difference as hath been represented, between the Doctor in his Assertion concerning the Illegality of Resistance, and some of the Gentlemen of the House of Commons; That the first Thing on which he insisted, supposing the general Assertion to relate to the Supreme Executive Power, was, that the Doctor had not in any part of his

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his Sermon apply'd it to the particular Case of the Revolution. That 'twas insisted on the first Day, that he had not only asserted the utter Illegality of Resistance to the Supreme Power, on any Pretence whatsoever; but also that he had expressly affirm'd, that the Revolution was not in such a Case as ought to be excepted out of his General Rule. That it was one thing expressly to affirm the Revolution was such a Case as ought not to be excepted out of the General Rule, and another, not to make the Exception. To prove the Doctor guilty of this first Charge, and that he had directly applied his General Rule of the Illegality of Resistance to the Supreme Power, to the particular Case of the Revolution, a Learned Gentleman, on the second Day first stated to your Lordships the Page wherein the Doctor mentioned the utter Illegality of Resistance; and read that Passage in the following Words: "The Grand Security of our Government, and the
"very Pillar upon which it stands, is founded upon
"the steady Belief of the Subjects Obligation to an
"absolute and unconditional Obedience to the Su-
"preme Power, in all Things lawful, and the utter
"Illegality of Resistance upon any Pretence what-
"soever. And then says he, the Doctor goes on,
"and says, Our Adversaries think they effectually
"stop our Mouths, and have us sure and unanswer-
"able on this Point, when they urge the Revolu-
"tion of this Day in their Defence. He begg'd,
their Lordships would observe the Distance of these
two Passages from each other. That the next Me-
thod us'd to prove the Doctor guilty, was by taking
the Passage in it self, independently from any other.
And taking it thus, 'twas objected, ~~is~~ in no Case
whatsoever 'twas lawful to resist, 'twas then unlaw-
ful at the Revolution. That he humbly apprehend-
ed, that extraordinary Cases, Cases of Necessity,
were always implied, tho' not express'd, in the Ge-
neral Rule. That such a Case undoubtedly the
Revolution was, when our late unhappy Sovereign,
then upon the Throne, misled by evil Counsellors,
endeavour'd to subvert and extirpate the Protestant
Religion, and the Laws and Liberties of the King-
dom. That the General Rule ought always to be
pressed,

pressed, but the Exceptions of extraordinary Cases, *March*
or Cases of Necessity, were most particularly to be
stated. That such Cases, with Respect to Resistance
against the Supreme Power, were no way to be con-
sider'd, but in Parliament; and even the Parliament
it self had never yet thought fit otherways to con-
sider them, than by Way of Retrospect, to justify
what had of Necessity been done in those Cases.

The next Thing he would endeavour to do, was
to satisfy their Lordships, First, That the Doctor's
Assertion of the *Negativity of Resistance to the Supreme*
Power on any Pretence whatsoever, in general Terms,
without expressing any Exception, or that any Excep-
tion was to be made, was warranted by the Authority of
the Church of England: And, Secondly, That this
Manner of Expression was agreeable to the Law of
England. Here he cited a Book intitl'd, *A Necessary*
Doctrine and Exhortation for any Christian Man, pub-
lish'd by the King's Command. 34 H. 8. A Treatise
 compos'd by the Direction of *Cramer*, by *Rydley*,
Redmayn, and other very great and learned Men.
And out of it these Passages: "And by this Com-
" mandment also Subjects be bound not to with-
" draw their Fealty, Truth, Love, and Obedience
" towards their Prince, for any Cause whatsoever
" it be; nor for any Cause they may conspire against
" his Person, nor do any thing towards the Hin-
" drance or Hurt thereof, nor of his Estate. More-
" over, no Subjects may draw their Swords against
" their Prince for any Cause whatsoever it be.
That tho' this Treatise was publish'd in a Popish
Reign, yet as an undeniable Evidence that the Do-
ctrine of Non-Resistance there taught was a Prote-
stant Doctrine, he next cited the first Book of the
Homilies prepar'd by the Clergy, and publish'd by
the Royal Authority in the Time of *Edward VI.*
in which were three Parts of a Homily, or rather
three distinct Homilies of Obedience. In one of which
is the Passage mention'd in the Doctor's Answer.
" Here, good People, mark diligently; It is not
" lawful for Inferiors, and Subjects, in any case,
" to resist and stand against the Superior Powers,
" for St. Paul's Words be plain, that whosoever
" withstandeth, shall get to themselves Damnation ;
Q " for

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“ for whosoever withstandeth, withstandeth the Ordinance of God. That in Queen Mary's Reign, Resistance to Princes being a Doctrine of the Church of Rome, their Lordships would not expect any Authentick Evidence to be produc'd in Maintenance of the Doctrine of Resistance.

That when Queen Elizabeth came to the Crown, six Homilies were added to the other three against Disobedience and wilful Rebellion: That in that glorious Reign, the Thirty nine Articles were agreed upon by the Archbishops and Bishops of both Provinces, and the Clergy in Convocation; that by the 35th the Homilies were declar'd to contain a Godly and Wholesome Doctrine, and were order'd to be read in Churches, by Ministers, diligently and distinctly, that they might be understood of the People. That in the 13th of that Reign, a further Sanction was given to the Homilies; that in our present most gracious Sovereign's Reign a perpetual Sanction had been given to the Books of the Homilies, by inserting in the Act of Union the Act made the 13th Eliz. which confirm'd the 39 Articles, by the 35th of which the Doctrine of the Church taught in the Homilies was approv'd; and declaring that Act, 13 Eliz. to be an *Essential and Fundamental Part of the Act of Union.*

That as a further Proof that this Doctrine of Non-Resistance, as laid down by the Doctor in general Terms, without making any Exception, is the Doctrine of the Church of England. I would be endless to offer to their Lordships all the Authorities he might produce on that occasion; but he begg'd their Patience to lay before them some Passages out of the learned Writings of several Reverend Fathers of the Church, and that their Lordships might not think this Doctrine died at the Revolution, he should lay before them the Opinions of three Archbishops, and eleven Bishops, made since the Revolution. Here he named Arch-bishop Tillotson, the two present Arch-bishops, Bishops Stillingfleet late Bishop of Worcester, Rochester, Salisbury, Ely, Bath and Wells, Lincoln, Exeter, St. Asaph, Carlisle, and Chichester.

The next thing Sir Simon came to speak to was, the Law of England, whether the Doctor's Assertion of the better Illegality of Resistance to the Supreme Power on any Pretences whatsoever, in general Terms, was agreeable to it. Whatever might at any time heretofore have been thought proper to be done by Parliament; whatever Measures, in Cases of the last Necessity, might at any time have been taken by the People in general, for preserving their Liberty, or asserting the Rights of their Country, and keeping themselves from Slavery, yet in no Age could any Instance be shew'd, not in the Reigns of those Princes who had been depos'd, that this Doctrine, was ever permitted to be asserted by any particular Person. That a memorable Case to this purpose happen'd in the Reign of King Edward the Second; that an Act of Parliament pass'd in the fifteenth Year of that Reign, intituled *Exilium Hugonis de Spencer Patria, & Filii*, The two Spencers were banish'd by that Act, and the first Article in that Act against them is, 'that they had affirmed and publish'd in Writing, that Homage and Oath of Allegiance were due more by Reason of the Crown, than by Reason of the Person of the King; and that if the King did not demean himself according to Reason, in the Exercise of his Government, his Subjects might remove him: And that since that Removal could not be by Course of Law, they might therefore remove him by Force. That the Act, very soon after the making it, was repeal'd, and 'twas thought necessary in that Reign the People should assert that Right, and thereupon the King was depos'd. But their Lordships would find in his Successor's Reign, they were so far from casting any Blot on the Act of Exile, that in the 1 Edw. 3. by one of their first Acts, the Repeal of the Exile was annulled, and the Act of Exile confirm'd. It was true, that in the 21st Year of Rich. 2. the Act made in the 1st Edw. 3. for annulling the Repeal of the Exile, was repeal'd, and the Reversal of the Act of Exile confirm'd; but in the 1st of Hen. 4. the whole Parliament held the 21st Rich. 2. and all the Proceedings in it, for their Extravagance, were annulled, and from thence the

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Act of Exile of the two *Spencers* continued. He humbly observed to their Lordships, that there were two Repeals of the Act of Exile, neither of them mention'd the Matter contained in the Articles as insufficient, but the Reasons assign'd in the Acts of Reversal are, that "in the Proceedings against the *Spencers* the great Charter was not observed, that the Prelates were not present, and did not assent thereto; and some other Defects in Form. What Opinion our greatest Lawyers had since had of this Act of Exile, sufficiently appeared *Co. 7. 11. Calvin's Case*, the Words are these, "In the Reign of *Edw. 2.* the *Spencers*, the Father and the Son, to cover the Treason hatch'd in their Hearts, invented this damnable and damn'd Opinion, That Homage and Oath of Leigeance was more by reason of the King's Crown, (that is of his Politick Capacity) than by reason of the Person of the King; upon which Opinion, says the Lord Chief Justice *Coke*, they inferr'd most execrable and detestable Consequences. First, If the King do not demean himself by Reason in the Rights of his Crown, his Leiges are bound by Oath to remove the King. Secondly, Seeing that the King could not be reform'd by Suit of Law, that ought to be done by Force: All which were condemned by two Parliaments, one in the Reign of *Edw. 2.* called, *Exilium Hugonis Le Spencer*, and the other 1 *Edw. 3. Cap. 1.* The next Law he mentioned was the 25 *Edw. 3. Cap. 2.* By which, the levying War against the King in his Realm was declared, in general Terms, to be High Treason, without any Exception whatsoever: That this was an Instance of what he was contending for, that the Law, in all Cases concerning our Allegiance, laid down the general Rule, without making any Exception. So in the Oath of Obedience (as enjoin'd 3 *Fac. 1. 4*) all Persons were to swear to defend the King to the utmost of their Power, against all Conspiracies and Attempts whatsoever, which shall or may be made against his Person, Crown or Dignity. That the Oath was in general without any Exception express'd in it; and no Man would presume to say that Oath, which was taken from the 3 *Fac. 1.* till after the

the Revolution, was not true. But the Answer to be given was, what he gave in this Case, that Cases of Necessity, such as the Revolution, were imply'd, they were improper to be express'd; and why ought not the like Implication equally to be allowed in the General Assertion made by Dr. Sacheverell? By the Act made 12. Car. 2. C. 30. for Attainder of the Regicides, it was declared, that *by the Undoubted and Fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together, in Parliament, or out of Parliament, nor the People, collectively, or representatively, nor any other Person whatsoever, ever had, have, hath, or ought to have, any coercive Power over the Kings of this Realm.*

That the Militia Act, the 13th and 14th Car. 2. Cap. 3. for ordering the Forces in the several Counties of this Kingdom, contained a Declaration as strong as the former: By that Act 'twas declared, That *neither both or either of the Houses of Parliament, can, or lawfully may, raise or levy any War offensive or defensive, against his Majesty, his Heirs, or lawful Successors.*

That by the Corporation Act, 13 Car. 2. Sess. 2. Cap. 1. all Mayors, Aldermen, Common-Council-Men, and other Corporate Officers there enumerated, were requir'd to take an Oath, That *it was not lawful on any Pretence whatsoever to take Arms against the King.* By the Militia Act, which he had already mention'd, the same Oath, That *it is not lawful on any Pretence whatsoever to take Arms against the King,* was required to be taken by every Peer of the Realm, before he was capable of acting as Lord-Lieutenant, Deputy-Lieutenant; and by every Commoner of England, before he could be capable of acting as a Lieutenant, Deputy-Lieutenant, Officer or Soldier in the Militia. By the Act of Uniformity, 13 & 14 Car. 2. Cap. 4. all Ecclesiastical Persons, and many others under the several Denominations in that Act, were required to subscribe to the Truth of that Assertion, That *it is not lawful on any Pretence whatsoever to take Arms against the King.* That this was the Language of our Laws; and the like did the Apostles use in their Precepts touching Obedience and Non-Resistance to the Supreme Power.

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Here he observed an Objection had been made to these several Acts, that by an Act made in the First Year of the late King and Queen, was Enacted, 'That from thenceforth the Oath enjoined to be taken or subscribed, by the several Acts he had mentioned, should not be required to be taken by any Person whatsoever; and that the former Acts of Parliament, as to that Oath, were thereby repealed. That it was a very tender Repul, if it was one. That as the Corporation Act requir'd the Swearing 'twas not lawful to take up Arms against the King, so did it direct the Subscribing to the Unlawfulness of the Solemn League and Covenant; so by the same Argument, the Solemn League and Covenant might be proved to have been a Lawful Oath.

That he had but a Word or two to add to the other Charges of this Article: That the Gentlemen of the House of Commons were pleas'd to observe, that though there were four Articles, the Substance of them all center'd in the first, The second Charge in that Article was, *That his late Majesty in his Declaration disclaim'd the least Imputation of Resistance*, That it was not, he hoped a sufficient Ground for an Article of Impeachment, if the Doctor had express'd himself in an obscure manner; he confess'd he could not easily comprehend him his self, but it might be any Man's Misfortune to express himself in such a manner, as to make it decent and fit for him to explain himself: And, he hoped the Doctor had explain'd himself so as to shew, that, though he might have spoken improperly, he had yet spoken innocently. That the Gentlemen of the House of Commons declared by Resistance they meant the Resistance of the Subject to their Sovereign; but Resistance, where the Doctor mentioned his late Majesty to have disclaim'd it, could not have that Meaning: He was a Sovereign Prince, and might resist whom he pleas'd. That perhaps the Passage in the Doctor's Sermon might be capable of different Constructions, but the Doctor had taken Care to prevent all manner of Mistakes that might possibly arise from thence: He had not only made a Marginal Reference to show what he meant, which might have been done when he apprehended that Expression would be found

found Fault with; but he had in the Sermon it self quoted what the Parliament did, in burning a Treatise which related to the King's having conquered the Kingdom.

That the last Part of the Article was, *That to impute Resistance to the Revolution, is to cast Black and Odious Colours on his late Majesty, and the said Revolution.* That there were these Words in the Doctor's Sermon, *of casting Black and Odious Colours on his Majesty, and the Revolution.* They were in the close of a Sentence, which immediately preceded the Expression of his late Majesty's disclaiming the least Imputation of Resistance: That those Words of *casting Black and Odious Colours* were so far from referring to his late Majesty's disclaiming the Imputation of Resistance, that they concluded the Sentence which went before it, in which the Doctor mention'd New Preachers and new Teachers that broach'd abominable Positions, *that the People have a Right to cancel their Allegiance at Pleasure, to call their Sovereign to Account, and who pretend to justify the horrid Murder of the Royal Martyr King Charles the First, and endeavour to skreen themselves, and their vile Notions, under the Revolution.* The Doctor having mention'd these new Preachers, and their Doctrine, went on, *Our Adversaries think they effectually stop our Mouths, and have us sure and unanswerable on this Point, when they urge the Revolution of this Day in their Defence. But certainly they are the greatest Enemies of that, and his late Majesty, and the most ungrateful for the Deliverance, who endeavour to cast such Black and Odious Colours upon both.* Did not this clear the Revolution against the Venom of those Miscreants, who published such villanous Assertions as these? That was objected by a Learned Gentleman, what had a Minister to do to meddle with these Things? That if any Man offend against the Temporal, or Ecclesiastical Laws, the Courts were open, the Magistrates were to punish. He concluded with saying he did not find, if this Doctrine held, that he must preach against any thing; if he must not preach against any thing which might be prosecuted, either in the Temporal or Ecclesiastical Courts, he must not preach against any Offence that was forbid by the Ten Command-

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ments. That perhaps it would be urged that there were no such People as these New Preachers and New Teachers, that he was raising a Phantasm, and then throwing it down; that he was only imagining Cases, of which there were no Instances; that there were no such Men who endeavoured to justify the Murder of King *Charles*, or defended it by the Revolution. That they would show there were too many Instances of such Persons who made no Scruple to publish these Positions, and cast Reflections on the Queen and her Government, whom the Doctor had been defending. That he was not the Person he had been represented, he had no disloyal Thoughts about him: He was sure, he would rather die in her Majesty's Defence. That they should show to their Lordships that there were such as run most vile Comparisons between the Revolution, and the most execrable Murder of King *Charles* the First, and could find no better Difference between them, than that abominable Distinction of a *Wet Martyrdom* and a *Dry One*.

Mr.
Dodd's
Speech in
Defence of
Dr. Sa-
cherell.

Mr. Dodd seconded Sir *Simon*, and said, That the Gentlemen Managers, with Submission, had scarce any three of them agreed in any one principal Point, only in this most of them had agreed that the Doctor was a Criminal before he was condemned: That it had been represented as if that Sermon had been perused and approved by Lawyers, but not the least Proof thereof: That they had different Facts charged upon them; sometimes they were taxed for having said too much, and sometimes for having said too little, and not mentioning things that were the proper Subject of the Day. That they apprehended these Matters were objected for want of observing the Sermon it self. That there had been some Acts of Parliament cited by the Gentlemen Managers for the House of Commons, that of the 25th *Hen.* 8. about the Supremacy, which he apprehended was not to the present purpose; it only asserting the Supremacy, that is, the Independency of the Crown, which was usurped by the Papal Authority; That the Revolution was a Case they all agreed out of the general Rule, that they were hearty Well wishers to it, and to the Happiness of Eng-
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land, that was in a great Measure built upon it; that they all agreed the Law of the Land was the Measure of the Prince's Authority, and the People's Rights; that in the Case of the Revolution, when the Laws were overturn'd, Popery was coming in upon us, and Property signified nothing, the People of England being invited by her late Majesty, did resort to the last Remedy, even that of Necessity, and that Necessity did induce Resistance, and justify them in it, and upon that Foot the Revolution succeeded: They totally desisted that the Doctrine of Non-Resistance, as laid down by the Doctor, and asserted by him, was intended for the Pretender, or or any other, but her Majesty and her Government, or could be construed a thwarting the Revolution; for the Doctor (as a Dutiful Subject) took notice that her Majesty was the last of the Lineal Descent, as the Relict of the Royal Family, which quite disowned the Pretender and his Right: And could any one imagine that in such Expressions he could have an Eye to the Pretender? For if there were any Pretence of Title in him, it must be as a Descendant of that Family: But he took notice that her Majesty was the only one left of that Family in a Lineal Descent, and he thought that was enough to acquit the Doctor of having any Eye to him beyond the Water. That in the Preamble to the Articles, there was Notice taken of three Acts of Parliament. The first is the *Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*. The second is the *Act for preventing Vexatious Suits against such as acted in Order to bring in their Majesties, and for their Services*. The third is the *Act for paying the States General of the United Provinces their Charges for his Majesty's Expedition into this Kingdom, and for other Uses*. As to the *Bill of Rights*, he did not find that it meddled with the Points of Resistance or Non-Resistance, the whole Ground and Tenour of it was upon the Abdication. That it settled the Crown upon the Vacancy of the Throne. That there was no other Fact stated, no mention of Resistance. That as to the second Act, it went further than the *Bill of Rights*; that it was but the same in effect, that was Enacted in the Reign of *Edw. 3*, after *Edward the 2d*

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was depos'd; a meer Act of Indemnity, and Pardon for Officers Civil and Military. The third Act took no other Notice, but only of the Dutch 600000 l. for their Assistance to his Majesty at his coming into this Nation, for our deliverance from Popery and Arbitrary Power.

This said, he came to the first Article, which consisted of three Heads; first, *That he was of opinion that the necessary Means used to bring about the Revolution were Odious and Unjustifiable*; he took no Part of his Sermon he had affirmed, *that the necessary Means used to bring about the Revolution*. On the contrary he had all along asserted, that his late Majesty from the black and odious Colours which their greatest Enemies had endeavour'd to cast upon them. That the second Division of the Article was *That his late Majesty in his Declaration disclaimed the least Imputation of Resistance*. This Fact they did not acknowledge, if understood as the Doctor explained it, and proved it by the Declaration itself; that the Resistance the Doctor mentioned, was such a Resistance as tended to Conquest only, as by the Words plainly appeared. That the Doctor had taken Care to express it in Words, that there might be no room for Exception.

Now if the Doctor, having his Eye in that Expression on the Matter of Conquest that others had insinuated, and that the late King did disclaim any such Pretence, did express the same by Resistance, the Expression, they hop'd, was applicable to the subject Matter that was before him, and ought not to be wrested or turned to any other Purpose: Nothing could shew more his Meaning than his own Quotation: And he refer'd to King William's Declaration to justify him in that Matter.

Thirdly, that *to impute Resistance to the said Revolution, was to cast black and odious Colours upon his late Majesty and the said Revolution*. This the Council utterly denied, they own'd indeed that the Doctor in his Sermon had asserted this general Proposition, viz. *Absolute Obedience in all things lawful to the Supreme Power, and the utter Illegality of Resistance of the Supreme Power upon any Pretence whatsoever*. Non-Resistance

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stance in general that did assert as a Rule was agreed there was an Exception implied in that Rule, and that Exception, they said, was the Case of the Revolution. That that Doctrine was agreeable to the Scriptures, was Taught by the Church of England in her Homilies, Articles and Injunctions, by her Bishops and Pastors; and in all Admonitions they had had from the Bishops and Pastors of the Church from time to time. That they took to be agreeable to the Statutes and Statutes of the Realm. The Law made no Provision for particular Persons to resist the King's Power. That the Statutes in that behalf made were affected, that if the King did not for the good of the People might remove him, and that by the People; but that was condemned by two Acts of Parliament in Edw. 2. and Edw. 3.'s Reign. The Act of the 13 Edw. 3. that famous Act that has been the Standard for Treason for many Ages, was agreeable to the Doctor's Assertion; and when there were Amendments made in that Law, in Queen Mary's Time, those Acts were again repealed. That in the Act of the 10 Car. 2. Cap. 30. it was declared, that it was the Undoubted and Fundamental Law of this Kingdom, that neither the Peers of this Realm, nor the Commons, nor both together, in Parliament, or out of Parliament, nor the People collectively or representatively, nor any other Persons whatsoever, ever had, have, or ought to have, any Coercive Power over the Persons of the Kings of this Realm. That here was a Declaration as full as the Doctor's Sermon, and that yet this Declaration must have an Exception in a Case of the utmost Necessity. That the next was the Corporation Act, 13 Car. 2. in which all the Officers of Corporations were directed to Swear, That they do believe, That it is not lawful, upon any Pretence whatsoever, to take Arms against the King. That in the Militia-Act, 13 and 14 Car. 2. and there was the same Declaration to be made by every Lord-Lieutenant, Deputy-Lieutenant, Officer and Soldier.

Having cited several other Acts to the same purpose, he said, he thought that the Doctrine of Non-Resistance, as a general Proposition, was warranted by the Laws of the Land; and when there was an Exception implied therein, must only be determin'd by

now. by the Wisdom of the Nation, and not by any Doctor or private Person whatsoever. That in particular Case of the utmost Necessity, where Instructions must be made as an Exception out of the General Rule must be left to Time and Circumstances to determine, and must be determined by the Wisdom and Strength of the Nation. That there was indeed one Exception made in one particular Case in the Bill of Rights, where it was Enacted, That if the King or Queen shall be reconciled to the See of Rome, or profess the Popish Religion, or marry a Papist, then such Person shall be excluded to inherit the Crown, or have Regal Power in the Realm, and that the People shall be absolved of their Allegiance. And that he took to be the first stated and determined Exception to this General Rule that ever was made in an Act of Parliament. He thought the Government could scarce be just to it self, that did not encourage and command that Obedience, that Non-Resistance. That this was a Rule profitable to all Governments let the Nature of them be what they would; it was for the Peace and Quiet both of Church and State. They apprehended that the whole Sermon of the Doctor was to be understood as not razing the Foundations of the Government, not inciting to Rebellion, but preaching Obedience to the Laws of God and Man. That it was a great Misfortune for the Doctor to be represented as preaching this Doctrine for the sake of the Pretender, when on the contrary he disclaimed all Right in the Pretender, by asserting and acknowledging her Majesty's Right and expressing a passionate Concern, that her Majesty was the Relict of the Royal Family. That they had given all the Assurance of their Fidelity the Law demanded, they had taken the Oath of Abjuration, and been always Submissive to her Majesty, and the Laws of the Nation, given all the Security of their Allegiance and Loyalty that the Government required.

Mr.
Phipps's
Speech for
Dr. Sacheverell.

Mr. Phipps was the next that pleaded the Doctor's Cause, and said: they agreed with the Managers that his late Majesty, when Prince of Orange, did with an Armed Force undertake a Glorious Enterprise

prize for delivering the Kingdom from Popery and Slavery. They admitted that divers Subjects well affected to their Country joyned with and assisted him in that Enterprize; and that the Enterprize being crown'd with Success, the late happy Revolution took Effect, and was established. They also admitted that the Blessed Consequences of the Revolution were, the Enjoyment of their Religion and Laws, the Preservation of her Majesty's Person, the many Advantages arising by her Majesty's Wife and Glorious Administration, the Prospect of Happiness to future Ages by the Settlement of the Succession, and the Union of the two Kingdoms. But that there were other Matters suggested in the Preamble, in which they differ'd with the Gentlemen of the House of Commons; for it is therein alleg'd, 'That Dr. Sacheverell preach'd and publish'd his two Sermons with a malicious and seditious Intention to Undermine the Government and Protestant Succession, to Defame her Majesty's Administration, to Afforse the Memory of his late Majesty, and Traduce and Condemn the Revolution, to Arraign the Resolution of both Houses of Parliament, to Create Jealousies and Divisions among her Majesty's Subjects, and to Incite them to Sedition and Rebellion: And all this they totally denied.

That the Offences charged upon the Doctor were of a very High and Heinous Nature, and the greater the Crimes were with which a Man was charged, the clearer and plainer ought the Evidence to be to maintain and make good that Charge. They were therefore to consider, Whether the Sermons were preach'd with such Malicious and Seditious Intention as was asserted in the Preamble;

Then having made some Remarks upon the several Constructions made by the Managers, he came to the First Branch of the First Article, which charged, the Doctor did Suggest and Maintain that the necessary Means used to bring about the Happy Revolution were Odious and Unjustifiable; He begged Leave to say, that there was not one Paragraph or Sentence in his Sermon that could support this Charge, the Necessary Means us'd to bring about the Revolution not being once mentioned in the Sermon.

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That one of the Gentlemen who spoke to this Article, was pleased to admit, that the Words charged in that part of it were not in the Doctor's Sermon, but said there were Words that were not in it, so that that Branch was to be proved by Denial, and they denied there are any such Words. That the last Part of the First Article charged, that the Doctor did Suggest and Misdemean, *That he Impure Resistance to the Revolution, was to cast Black and Odious Colours upon his Majesty and the Revolution.* In answer to which he must beg leave to take Notice, that the Words of the Sermon were here transposed and misplaced; then having cited the Words, he added that what he said was no more, than that to justify the Calling the Sovereign to an Account for High-Treason, and the Dethroning and Murdering of him, by the Revolution, was to cast Black and Odious Colours upon both. It was not the Revolution in 1688, but the Revolution in 1648, that he endeavoured to blacken, and the Principles by which that was brought to pass; those Principles which made Rebellious Subjects take up Arms against one of the Best Princes that ever Sway'd the Scepters of these Kingdoms; those Principles which brought that Pious Martyr to the Block, banished the Royal Family, and set an Usurper upon the Throne. That as to that Part of the First Article which said, *That his late Majesty in his Declaration disclaimed the least Impurification of Resistance:* If the Doctor had not explained himself, it was humbly submitted how far he was justified by his Majesty's Declaration; that in Construction of Words and Sentences, if any Part be ambiguous, and might be taken in a double Sense, it ought in Favour of Life and Liberty to be taken in the best Sense. And that therefore if the general Words would have carried such a Reflection, yet the Clause which explained it being printed with it prevented such a Construction; for there is no Reason to apprehend any Danger from the Poison, when the Antidote was administered at the same Time. But, from what he observed from the Gentlemen who were the Managers, and spoke to this Article, the great Foundation and Stress upon which this Article depended was in the Sentence

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Sentence Page 11 of the Doctor's Sermon, where
he said, *The Grand Security of our Constitution, and
the very Pillar upon which it stands, is founded upon the
steady Belief of the Subjects Obedience to an absolute
and Unconditional Obedience to the Supreme Power in
all Things lawful, and the utter Illegality of Resistance
upon any Pretence whatsoever.* But he took the Charge
in this Article, could never be supported by any
Words in that Sentence: he saying no more by this
than 'twas utterly illegal, upon any Account whatso-
ever, to resist the Supreme Power in Things lawful.
Could any Aphorism be truer than this, viz. *That
where the Thing commanded by the Supreme Power is
lawful, the Resistance given to it must be unlawful?*

Here having cited Puffendorfe, who says, *Human
Laws are the Decrees of the Supreme Power concerning
Matters to be observed by the Subjects for the Good of the
State.* He adds that all the Managers had founded their
Discourse on a Supposition, that the Doctor preach'd
up an absolute unconditional Obedience to, and
the utter Illegality of Resistance of, the Queen;
whereas he preach'd up the Illegality of Resisting
the Supreme Power, and that in all Things lawful.
Should he suppose that the urging the Illegality of
Resistance on any Pretence whatsoever, had been a
Substantive Clause, and had no Relation to, or De-
pendance upon, any other Clause or Sentence; or
should he suppose such a general Assertion could
be collected from any Part of the Doctor's Sermon,
yet it must be taken only for a general Proposition;
and if such general Propositions were true in the ge-
neral, though subject to particular Exceptions, yet
it was submitted whether the Doctor was not well
warranted in asserting such a general Proposition,
without mentioning the particular Exception? And
therefore, the Doctor urging this Doctrine of Non-
Resistance in such general Terms, as all other Pro-
positions were usually urged, it was humbly submit-
ted, whether he could for that be esteem'd guilty of
High Crimes and Misdemeanors; especially, since
this very Doctrine hath been affirmed in such gene-
ral Terms by Learned Men in all Ages, by the
Church, and by the Legislature.

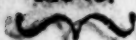
Here



In his Sermon preach'd before the House of Commons the 30th of January, 1705, the Bishop of *St. Asaph*, in his Sermon on the 30th of January 1699, the Bishop of *Lincoln*, in his Sermon preach'd before their Lordships the 30 of January 1708, my Lord Archbishop of *York*, in a Sermon preach'd before their Lordships in 1700. He goes on and says, Is not this Doctrine confirmed by our Church in her Homilies, and enjoined to be Read on certain Days in the Church? Are not these Homilies allowed by the Articles? Are not these Articles established by the 19th of *Eliz.* Chap. 14? And is not that very Act confirm'd and made Perpetual by the Act of Union made in the Fifth Year of her Majesty? Is it not likewise Ratify'd and Established by the Legislature, by the Act of the 14th of *Charles* the Second, cited in the Sermons of the Bishop of *Lincoln* and Dr. *Kennet*, by the Act of the 13th of *Charles* the Second? For that Act of the 13th of *Charles* the Second, Chap. 4. obliges all Ministers, &c. to subscribe a Declaration, the first Part whereof was this, *I A. B. do declare that it is not Lawful upon any Pretence whatsoever to take up Arms against the King.* Was not that Declaration to be Swore to by all Officers of Corporations, by the Corporation Act; by all Lieutenants, Deputy-Lieutenants, and all Officers and Soldiers of the Militia, by the Militia Act? And can any Man doubt the Truth of that Doctrine which the Legislature has obliged the greatest Part of the Nation to solemnly to Subscribe and Swear to? We have Collected many more Instances of this kind, which we will offer to your Lordships in the Course of Evidence.

After he had in the next Place quoted a Sermon preach'd before their Lordships on the 30th of January 1702, by my Lord Bishop of *Carlisle*, and cited this Clause in the Abjuration-Oath, *And I do Swear that I will bear Faith and True Allegiance to her Majesty, and her will defend to the utmost of my Power against all Traiterous Conspiracies whatsoever which shall be made against her Person, Crown, and Dignity.* He begged leave to add, that the Punishment inflicted by our Law in this World for Resistance, and the Judgment denounced against it in the next, suffici-

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ently evinced the Illegality of it. Taking up Arms and resisting against the Queen, by the Statute of the 25th of Edward the Third, was High Treason, the Punishment of which is to be Drawn, Hang'd and Quartered; and he hoped therefore, since that Doctrine had been so Universally Preach'd and Approv'd, the Preaching of it now should not be thought to Reflect on the Revolution, more than it had done hitherto, since her Majesty's happy Accession to the Throne, and more than it did in the Reign of his late Majesty, who was the Glorious Instrument of that Happy Revolution. Could he be a Criminal for preaching that Doctrine which had been asserted by so many Archbishops, Bishops, and other eminent Divines, not only with Impunity, but even with the Approbation of both Houses of Parliament? That Doctrine which is enjoined by our Church, Ratify'd, Confirm'd and Established by the Legislature, and which was the Doctrine of all the Protestant Churches in the World, which was the Doctrine of our Saviour himself, and which had been the Doctrine ever since Adam, and would continue so as long as there was a Bible upon Earth?

Mr. Dee's
Speech.

Mr. Phipps having concluded with some Paragraphs out of the Review and few Remarks upon them, to no great purpose, Mr. Dee took the Word and said, they would readily join with the Gentlemen who manag'd on Behalf of the House of Commons, in desiring their Lordships to assert Fundamentals, and to consider the Ancient Legal Constitution of the Kingdom. This Doctrine had been made appear to their Lordships to be consonant to the Laws of God, and the Laws of the Land. It was said that the Municipal Laws of the Land signified nothing, only in Times of Peace. What the Meaning of that was he knew not, unless that the Laws must be silent in the Time of War; but that the Way to maintain Peace, and to prevent Blood and Wars at Home, was to preserve our Laws. It had been likewise urg'd as a Maxim, That there can be no Right but there must be a Remedy to preserve it: And thereupon it was hinted as if there was some secret Right vested in the People to do something they did not

not think fit to name. He took that Saying, to be a Maxim in the Law, and to relate only to Legal Matters, and the Meaning of it to be, That when any Man had a Property, the same Law that gave that Property gave him a Remedy; if the same be invaded. The general Position of the utter Illegality of Resisting the Supreme Power did imply in it a Condition, and, as we say, that extends to that of the Revolution. Then he mentioned the Act of the Second Year of King *William* and Queen *Mary*, Entituled, *An Act for a General Pardon*; by the last Clause whereof it is provided, *That nothing in that Act shall extend to Pardon or Discharge anyone for committing or procuring the raising War against their Majesties after the 12th Day of February, 1688, unless such Person shall before the 26th of July take the following Oath*: Then followed the Oath of Allegiance. From whence he Inferred, First, That it was the Sense of the Legislature at that Time, that those Persons that contrived or abetted the raising War against their Majesties after they came to the Crown were guilty of a High Crime, and stood in need of a Pardon: So that if any Thing had shaken the Doctrine of the Illegality of Resistance, here Resistance was made as Criminal as it was before. Secondly, It appeared by the Clause to be the Opinion of the Legislature, that by the Oath of Allegiance, this Doctrine of the utter Illegality of Resistance was firmly established. He subjoined that that Constitution which some of the Managers put on the Doctor's Sermon, that this Notion of Non Resistance could only be applied to some Body beyond Sea, he thought it to be very hard and strained. He was sure it did not appear from any Thing the Doctor had said in his Sermon, he asserted her Majesty's Hereditary Right, and yet did not Reflect on the Revolution; for though he spoke of her Majesty's Hereditary Right, he did not any where say that She had no other than an Hereditary Right. And it was owned by one of the Managers, that his late Majesty had a Single Right by the Act of Settlement, but that her Majesty has a Twofold Right, a Right according to the Act of Settlement, and an Hereditary Right too. And then concluded that



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the Learned Managers had drawn very many Inferences by their Skill and Ingenuity from Passages in the Doctor's Sermon, which he believed none of their Lordships could think the Doctor ever thought of when he was composing it, or delivering it in the Pulpit.

Doctor
Hench-
man's
Speech.

Dr. Henchman who spoke next, applying himself directly to the First Article, and the First Branch of it, which had been made the Ground of that whole Accusation, own'd it was a Charge of a very high Nature, and had been aggravated to the utmost by the great Pains that the Gentlemen of the Honourable House of Commons had taken, and the elaborate Speeches that had been made on this Head. That the Clause made use of to prove this Part of the Article was in the 11th Page of the Sermon at St. Paul's, and had been often read, *The grand Security of our Government, and the very Pillar on which it stands, is founded upon the steady Belief of the Subjects Obligation to an Absolute and Unconditional Obedience to the Supreme Power in all Things lawful, and the utter Illegality of Resistance upon any Pretence whatsoever.* That being himself of a different Profession from the Gentlemen that had spoke before him, he should take a different Way in Vindication of that Passage, and beg leave to follow the Method prescrib'd by one of the Learned Managers who said, *Ex Oro suo Judicabitur.* That if nothing would satisfy the Gentlemen of the House of Commons but an Exception, an Exception they should have, and that out of his own Mouth. 'But, Secondly, Men may be denominated False Brethren with Relation to the State, Government. or Society of which they are Members. The Constitutions of most Governments differing according to their several Frames and Laws upon which they are Built and Founded, it is impossible to lay down any one Universal Rule, as the Scheme and Measure of Obedience, that may square to every one of them.

That this was an observable Instance of that Gentleman's good Temper and Moderation; nothing could be said more like a good Christian, and a good Subject, and a Man of Temper. That he was

not here for bringing all Things to his own Rule, but every Government must stand upon its own Foundation, and be governed according to its own Rules. But he goes on; 'Only this Maxim in general I presume may be establish'd, for the Safety, Tranquility, and Support of all Governments, that no Innovation whatsoever should be allowed in the Fundamental Constitution of any State, without a very pressing, nay, unavoidable, Necessity for it.

That in these Words there was a plain Exception made, whenever the Case of an unavoidable Necessity should happen. That no Body would deny but that the Revolution was such an unavoidable Case, and of Necessity, and what could not be reflected on but with great Satisfaction, and Thanks to God for bringing it about. But that it seemed very strange that this Exception should stand so very full and plain in the very Front of that Paragraph from which the Learned Managers had chiefly drawn this Accusation, and yet never be so much as once taken Notice of by them, Passages at a much greater Distance had been connected in order to Accuse him, and there could be no Reason given why the subsequent Passage in the same Paragraph should not be explained by this; why what in the beginning was said of all Governments in general, should not be extended to that Part where he spoke particularly of our own Constitution. That this, no Doubt he had in his Thoughts, and would, he hoped, sufficiently Vindicate him from this Charge.

This done Sir *Simon Harcourt* moved for leave to lay before their Lordships the Testimonies for every thing they had open'd; and then Mr. *Trapp* being Sworn, the *Lord Chancellor* told the Council, if they offered any thing in Evidence, they must take the same Method that the Gentlemen of the House of Commons did; it must be proved, and then delivered in at the Table, and there read. Hereupon the Managers desiring a little Time to deliberate what the Council for the Prisoner were going to do, they withdrew, and then the Lords adjourned to their House above; and in a short time their Lord-

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ships being returned, and seated as before. Sir Joseph Zekill said, the Managers had withdrawn for two Reasons; the one, to consider of several Expressions that fell from the Council at the Bar, which they had Reason to take Exceptions to; the other was, to consider of the Evidence they offered to their Lordships. For the First, that the Managers were so desirous that no Interruption should be given to the Doctor's Council in his Defence, that they at present took no Notice of it, but reserved that Matter to be taken Notice of at such other time as they should think proper. That as to the second, the Managers being unwilling the Doctor should be deprived of any thing that his Council could fancy was Material for his Defence, they were contented to let them go on in the way they proposed, but to save their Lordships time, they admitted the Books, Sermons and Pamphlets to be as they had open'd them.

Mr.
Dodd's
speaks to
the Second
Article for
the Doctor.

Saturday, the 4th, and 6th Day of the Trial, was spent in reading the Evidences above mentioned of which you have an Account in the Appendix; and on the 6th Sir Simon Harcourt being by that time returned a Member to serve for the Town of Cardigan, the Doctor's Four other Council proceeded in his Defence as to the Second and Third Articles of Impeachment, Mr. Dodd said, that the first of these two were divided into Three Heads. 1. *That the Toleration is unreasonable, and the Allowance of it unwarrantable.* 2. *That he is a False Brother, who defends Toleration and Liberty of Conscience.* 3. *That it is the Duty of the chief Pastors to thunder out Anathemas, &c.* He alledged there was no such thing as a Toleration granted by Law; there was an Act (which they supposed was intended) to exempt Protestant Dissenters from the Penalties of certain Laws therein mention'd. That this Act had several Restrictions and Limitations in it, and (amongst others) not to exempt any Persons from the Penalties, that did not frequent some Religious Assembly thereby allowed; that the Doctor no where found Fault with a Legal Toleration. They thought the Doctor had taken such Care least any Expression should undergo a wrong Construction, that he Explained himself ve-

ry particularly about it: And then having read the Words out of his Sermon. *Pray do not misunderstand me, as if I reflected upon that Indulgence, &c.* That now after such a Declaration, they hoped there was no room to tax him with that Part of the Article by any incoherent Words, or Inferences, when it was directly contrary to what he had in Words at length express'd. That as to the second Part of that Article, he thought it might receive the same Answer. That the Doctor did not say they were False Brethren that Defend a Legal Toleration, but that the Persons intended, were those that Defended an unlawful Toleration, and not a Legal Exemption.

That as to the Doctor's Expressions about Arch-Bishop *Grindall*, the Doctor thought he had good Grounds for them; That the Toleration he mention'd Arch-Bishop *Grindall* to be blamed for, was quite another Thing from the present Indulgence now granted; the first was by Queen *Elizabeth* alone, or by the Arch-Bishop's Authority under her, and without the Parliament; the Dissenters were then few, and it had been no great Difficulty to have prevented that Schism at the beginning; but now the Dissenters were a considerable Part of the Nation, had great Riches, and Properties amongst them; and it became the Wisdom of the Legislature, to give them an Indulgence according to the Restrictions in the Act of Parliament. That they should shew from the Arch-Bishop's Letter to the Council, and Letters from *Beza* and *Calvin* at that time, that it was his Indulgence to the Dissenters of that time, that drew the Anger of Queen *Elizabeth* on him, and that this was the Reason of it, they should make out by undeniable Proof. Now they apprehended the Fault the Doctor found in his Sermon was against an Universal general Toleration that tended to a Dissolution of all Things; and such a Toleration, would make Religion like that of the *Samaritans*, a mixture of all sorts, that was odious to the World, and an Abomination to the *Jews*. As to that Part of the Charge about thundering out *Anathema's*, the Discourse was general, and not determin'd to any Persons, not pointed at the Dissenters, but properly intended against Irreligion; and

Marb. the Sentence that he durst any Power on Earth to reverse, was such, and such only, as was ratified in Heaven. That he believed some Sentences of the Church to be ratified in Heaven; and if that Sentence which was pronounced here on Earth, were ratified in Heaven, it was, beyond all Dispute, out of the Power of Man to reverse it. He supposed some Persons exempt from Punishment by particular Laws, might yet, by the Law of Christ, be liable to such a Sentence: But from hence, or his Answer to the Articles, to draw a Conclusion, That he asserts the State had no Power to reverse the Sentence of the Spiritual Court; or that the Legislature is guilty of Blasphemy, was neither true Reason nor Logick.

Mr. Phipps's Speech to the Second Article for the Doctor.

Mr. Phipps was the next that took the Word and said, The Toleration Act was not what the Doctor found fault with, but the Persons that abused it; that the ill Use which was made of it was unreasonable and unwarrantable. But, that the Doctor should assert the Toleration it self to be unreasonable, or the Allowance of it unwarrantable, would appear to be a great Mistake, when the Paragraphs in the Doctor's Sermon, upon which that Article was founded, were consider'd. And here having read a Passage in Page the 8th, *If upon all Occasions to comply with the Dissenters, &c.* and another Page the 10th, *Our Constitution, both in Church and State, has been so admirably contrived, &c.* Could this be meant of the Toleration? Was the Toleration so much as mentioned here? Did he not here speak against such as innovated, alter'd or misrepresented the Articles of our Faith? Was there any Innovation. Alteration, or Misrepresentation of any Article of our Faith by the Protestant Dissenters? The Dissenters did not differ from us in Matters of Faith, but in Matters of Form and Ceremony. He offer'd another Clause, which was cited by the Managers to support this Article, out of Page 14. *These False Brethren in our Government, do not singly, and in private spread their Poison, &c.* Was there any thing in this Clause that could maintain that Article? The Doctor said, Certainly the Toleration was never intended to Indulge

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indulge and Cherish such Monks and Virgins in our
 Bosom, as Atheists, Tricheists and Socinians, &c.
 And the Doctor was well warranted in saying that,
 because those enormous Crimes were particularly
 excepted in the Act of Toleration. That the next
 Clause that was urged to maintain this Article was
 in the 16th Page, *But since this Model of an Universal
 Liberty and Coalition failed, and these False Brethren,
 &c.* Did this suggest the Toleration to be Unrea-
 sonable, or the Allowance of it Unwarrantable? It
 rather excused it from having hurt the Church: For
 he said, *What could not be gained by Toleration, must
 be brought about by Moderation and Occasional Confor-
 mity*, so that the Injury which was done to the
 Church was ascribed by him to some other Cause.
 That by condemning such as defended Toleration
 'twas evident he meant such as maintained that the
 Act of Indulgence was a Justification of their Sepa-
 ration, and excused them from the Sin of Schism;
 For the Defence of Toleration, and Excuse of Se-
 paration were mention'd in one and the same Clause
 of the Sentence, and in one and the same Branch of
 their Character of False Brethren. So that the True
 and Genuine Sense of what he had said in his Ser-
 mon concerning the Toleration, was, 1. That he
 approved of the Exemption by the Act of Indul-
 gence of Protestant Dissenters from the several Pe-
 nalties inflicted by the several Statutes for their
 Non-Conformity. 2. That though they were ex-
 empt from the Penalties, yet that did not excuse
 their Separation from the Sin of Schism in *foro Con-
 scientia*; and he was not singular in this Opinion.
 That the Passages in the Doctor's Sermon which
 were supposed to condemn the Toleration, or to re-
 flect on the Dissenters, were open to another plain
 and natural Construction. For since he positively
 allows Liberty of Conscience to Consciences truly
 scrupulous, where he condemns or speaks
 against Toleration, it must be intended as to such
 Dissenters who were not Intituled to the Benefit of
 the Act, but were excepted out of it; and those
 were such as by Printing or Writing denied the Tri-
 nity, such as did not come to some Assembly of Re-
 ligious Worship allowed by that Act; and no As-
 sembly

Assembly of Religious Worship was allowed by that Act till the Place of meeting be certified to the Bishop, Arch-Deacon, or Justice at the Quarter Sessions, and Recorded, and a Certificate thereof given. He proceeded next to that Branch of this Second Article, which charged the Doctor with Asserting, *That Queen Elizabeth was deluded by Archbishop Gmelin to the Toleration of the Geneva Discipline;* and having re-cited the History much to the same purpose, as you have it before by Mr. Dodd, and then taking notice that the Gentleman that spoke first to that Article, was pleased to admit, that what the Doctor said in relation to that Archbishop, was not an Offence, as it was a Reflection on the Archbishop. But that using such Expressions of the Archbishop for his Moderation to the Puritans, was a Reflection on the late Act of Toleration granted to Protestant Dissenters; and that calling the Prosecutions against the Prophesyings in Queen Elizabeth's Time *Wholsom Severities*, was an Encouragement to use such Severities against the Protestant Dissenters now. He added, Can what was done in Queen Elizabeth's Time reflect on the Toleration? Can calling the Prosecutions by Queen Elizabeth against such frequented Conventicles against the Law, and for which there was no Toleration; I say, can the calling such Prosecutions *Wholsom Severities*, reflect on this Toleration granted by Law? Or can it encourage a Prosecution against the Dissenters, who are intitled to the Benefit of the Toleration, and are Exempt from the Penalties of the Laws? That the only thing that could be inferred from what the Doctor said in relation to the *Wholsom Severities*, was that he intended to excite the Magistrates to put the Laws in Execution against such Dissenters as were excepted out of the Act of Toleration.

That as to that Part of the Second Article, which charged the Doctor with maintaining, *That it was the Duty of Superior Pastors to thunder out their Ecclesiastical Anathemas against Persons intitled to the Benefit of the Toleration:* The Doctor humbly apprehended there was nothing in his Sermon could be a just Foundation for that Charge. Could it be imagined that he should desire *Anathemas* to be Thunder'd

der'd out against such Persons whom he wish'd might enjoy the Toleration in the full Sense the Law had prescribed. But that the *Anathema* must be intended to be against the Works of Darkness, Atheism, Prophaneness, Faction, and other enormous Crimes, which were mentioned in the preceding Part of the Sermon, since it was not applied by him to any particular Sins or Offences.

As to the last Part of the Second Article, which Charges, that the Doctor *insolently dared and defied any Power on Earth to reverse such Sentences*, which Sentences were there insinuated to be the Sentences or *Anathema's* given and thunder'd out by Superiour Pastors; there were no such Words in the Doctor's Sermon.

Mr. Dee being designed to speak next to this Article, said, that there were two distinct Toleration mentioned in it; a Toleration that was Legal, and a Toleration that was General; and he thought that Distinction, well observed, would clear the Doctor of any Crime in that Particular. Where he reflected on the Toleration, it was not the Legal Toleration, but the General; and if it would bear that Construction, they would not put the other upon it; for where he had taken Notice of a Legal Toleration, he was for extending it to the utmost Bounds; his Words werethese, *I would not be here misunderstood, &c.* As to the Second Part of the Article, for Reflecting on Archbishop *Grindall*, and thereby on the Toleration; it was given up on the other Side; and admitted, that, whether True or False, it was not Material. As to the third Part of the Article, the thundering out *Anathema's*, he read these Words out of the Doctor's Sermon, which he hoped should not be applied to those that were within the Legal Toleration. 'Schism and Faction are Things of impudent and incroaching Natures, they thrive upon Concessions, take Permission for Power, and advance a Toleration immediately into an Establishment: And are therefore to be treated like growing Mischiefs, or infectious Plagues, &c. Presently after follows, 'Let our Superior Pastors do their Duty in thundering out their Ecclesiastical

Mr. Dee's
Speech to
the Second
Article
for the
Doctor,

Mod.

cal Anathema's; and let any Power on Earth dare reverse a Sentence ratified in Heaven. He said, that this was only Advice, and though the Doctor might be counted pretty Pert, to give Advice to his Superior Pastors that they ought to thunder out *Anathema's*; yet this could not be Construed to extend to them that were described in the Act of Toleration. But if the Doctor had advised to thunder out *Anathema's* against Dissenters; (supposing, but not granting it) the Question would come to this Point, Whether he was deceived in Point of Judgment or no: For if they were Schismatics before, the Schism remained the same, notwithstanding the Toleration; and if it was Sin before the Act of Toleration, it was so still, notwithstanding the Act; and then his Advice to the Superior Pastors was to do that which was (with Submission) their Duty to do, till prohibited by the Temporal Courts.

*Doctor
Hench-
man's
Speech.*

Dr. *Henchman* next urged, that it had not been said by any of the Learned Managers, that either of the two first Branches of the Second Article were expressly delivered in any part of the Sermon preach'd at St. Paul's; but that what was no where affirmed, was said to be suggested, and this Charge was maintained by Inferences only. That he humbly hop'd, if an Inference might be allowed as Proof to accuse him, an open Declaration would be heard in his Defence: And therefore he begg'd leave to read a Passage in the 23th Page, in his Defence, *I would not here be misunderstood as if I intended to cast the least invidious Reflection upon that Indulgence, &c.* That these Words were plain and express, and not capable of being misconstrued or misunderstood: Whether those Learned Gentlemen, who had applied some Parts of that Sermon to Purposes directly opposite to that plain Declaration, had misunderstood or misconstrued those Passages, must be submitted to their Lordships Judgment; that it seemed hardly reconcileable that the same Person in the same Discourse should declare, that all who wish'd well to the Church were ready to grant Indulgence to Consciences truly scrupulous, and at the same time maintain, that such Toleration was unreasonable, and the

the Allowance of it unvarratable. Then having considered who those Persons were who were designed to be eased by the Act of Exemption, and who the False Brethren were described by Doctor Sacheverell in that Sermon, which he made to be intended by the Doctor for *Atheists, Deists, Tritheists, Socinians, Revilers of the Holy Scripture*, and such like. That there were Men among us of these Principles would be but too visible, from some Passages from Books lately publish'd, and he instanced, *A Brief but Clear Confutation of the Trinity*, and, *The Rights of the Christian Church*. that as to that Paragraph in the 8th Page of the Sermon, *Should any one, out of Ignorance or Prejudice to the ancient Rights and essential Constitution of the Catholick Church, affirm, &c.* It was said, that all those Dissenters who did not acknowledge the Divine Right of Episcopacy, and were therefore specially exempted by the Act of Indulgence from Subscribing some of the Articles of Religion, and who were immediately under the Protection of that Act, were yet, in the end of that Paragraph, charged with being False Brethren, where he prayed, *That God would deliver us from all such False Brethren*. But it was plain, that these Words were not meant, nor could be construed, generally of Dissenters; who denied the Divine Institution of Episcopacy, but were intended peculiarly of such Persons as had themselves been Episcopally ordain'd, and the only Persons that were intended in that Passage, and term'd *False Brethren*.

We shall not repeat what the Doctor said about Ecclesiastical Censures in this Place, nor what he advanced farther concerning Archbishop *Grindall*, and the Prophecyers in Queen *Elizabeth's* Reign, but acquaint the Reader, that the Toleration Act, Queen *Elizabeth's* Letter to the Bishops, and the Archbishop's Letter to the Council being read, the two last of which you have in the Appendix, Dr. *Sacheverell's* Council proceeded now to speak to the Third Article of the Impeachment, and Mr. *Dodd* having recited the Article, he told their Lordships, they took the liberty totally to deny it. That it was true, that the Doctor asserted, that when National Sins were ripened to Maturity, with other Immoralities and

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and Irreligious Practices therein mentioned, that such a People and Church were in very great Danger, as they apprehended, from the Sins and Vices of Wicked Men. That it must be agreed, that the Church, as a Church Militant, was always in Danger. That the Prayers directed by her Majesty to be used, and that were used in all Churches, were, *That no Sedition may disturb the State, nor Schism distract this Church.* Now to object from this, that they look'd on the Church to be in Danger under her Majesty's Administration, was directly contrary to what the Doctor had asserted in his Sermon, wherein he did, as a good and loyal Subject, pray, and heartily, for the Best of Queens, *that she might long live for the Comfort and Support of this Church and Nation:* And as to that which was urged by one of the Managers, observing that the Doctor's Expressions were taken out of the *Lamentations*, and that when the *Lamentations* were written, the King was a Prisoner, and the People in Captivity, and therefore the Doctor intended the Paralel to answer the present Times. If it was intended by the Gentleman Manager, that the Doctor herein meant the Pretender; the Doctor utterly denied it, and had all along disclaimed his Right, and asserted her Majesty's Right in very express Terms.

As to the Allegation, That *the Members of both Houses were Conspiring the Ruin of the Church*, he totally denied it, nor had the Doctor in all his Sermon mentioned the Vote of the Two Houses; therefore for the Article to charge the Doctor with asserting *that the Members of both Houses, who past the Vote relating to the Danger of the Church, were Conspiring her Ruin, when they Voted her out of Danger,* was a mistaken Fact. That that Vote was almost Four Years ago! There could be no Reason to think he reflected on that Vote. That the Passage in the Doctor's Sermon related to the Wars in the late Times. And as in those Days there were many ill Men, and God permitted them to bring their ill Designs about; so it was plain, that there were many good Men innocent. Now, when their Lordships and the Commons pass'd that Vote, no doubt it was a just Vote, and gave a great Satisfaction; but no Body could expect

expect that Passage to be turn'd on the Doctor's own
Reflection on their Lordships, the Commons, or the
Her Majesty, in Relation to that Vote; but what
he reflected upon was quite another thing. He took
Notice that the Church is in Danger from evil Men,
from evil Practices, and evil Books that were daily
publish'd.

Mr. Phipps who was to speak next, said as to such
Part of the 3d Article, as charged the Doctor, *That* Mr. Phipps's
Speech for
the Doctor
as to the 3d
Article.
*he did falsely and seditiously suggest and Assert, that the
Church of England was in a Condition of great Peril and
Adversity under her Majesty's Administration, &c.* In order
to give their Lordships full Satisfaction in that
Point, he first took Notice of the several Clauses in
the Doctor's Sermon at St. Paul's, which had been
cited to make good that Article: That the first Pas-
sage quoted for that Purpose, was in Page the 4th
Beginning thus, *I shall take the Expression in its full
Latitude;* and Ending, *but, which is worse, by our
pretended Friends and False Brethren.*

Was there not too much Truth in that Clause?
Had not the Communion of the Church been rent
and divided by some Factious and Schismatical
Teachers in Separate Congregations, who had no
Orders at all, and by others, who refused to take the
Oaths, and would not comply with the Act of Tol-
eration; by Popish Priests, who had drawn away
Persons from our Communion to their Church?
Had not her Sacred Orders been deny'd and vilified
by the Papists, who pretended, Archbishop Parker
was consecrated at the *Nags-Head*? Were not her
Altars and Sacraments prostituted to Atheists, De-
ists and Socinians, who communicated to qualify
themselves for Places of Trust; and yet, was there
any thing in this Clause could support that Article?
Were these Evils charg'd upon Her Majesty, or was it
asserted, that these Mischiefs were owing to, or pro-
ceeded from Her Majesty's Administration?

That the next Paragraph cited to maintain this
Article, was in the 14th Page; Beginning, *In fear,*
as the English Government, &c. and Ending, *and*
curse their Queen and their God, and shall look upwards.

Here

Mr. A. Here was not one Word of the Church being in Danger by Her Majesty's Administration: He only shewed the Danger the *English* Government might be in by Occasional Conformists put into Offices and Places of Trust. For, Occasional Conformists, who were Dissenters, Republicans, Atheists and Deists, that communicated only to qualify themselves for Places, if they were true to their Opinions, could not be true to the Church of *England* in which they communicated, could not be true to the Government by which they were entrusted in such Offices, for they would be always promoting their own Principles in Religion, and their own Forms of Government in the State.

That another Passage was in Page the 13th, Beginning thus, *To lay before you the great Peril, &c.* and Ending thus, *to overturn and destroy the Constitution and Establishment of both.*

Here having expatiated against Occasional Conformists, he came next to shew, from what Causes the Doctor did suggest the Danger of the Church to arise; and of these Schism was one; which that it might do, he cited a Prayer lately added to their Liturgy.

He submitted to their Lordships, whether the Queen could be Safe, when it should be averr'd in Print, that there was one on the other side of the Water that was a *Jure Divino* King, and had an Hereditary Right. Could She be Safe, when the Murther of King *Charles* the First was justify'd in Print, by the *Review and Observer*? When the *Wet Martyrdom* of King *Charles* the First, and *Dry Martyrdom* of King *James* the Second were said to be all one, and no Difference between them?

That the chief Causes from whence the Doctor suggested the Danger of the Church and State to proceed, were Atheism, Prophaneness, and Immorality; for thus he expressed himself, pag. 20. *What reason have we to think but that the National Sins are ripen'd up to a full Maturity to call down Vengeance from Providence on a Church and Kingdom thus debauch'd in its Principles, and corrupted in its Manners, and instead of the true Faith, Discipline and Worship given over to all Licentiousness both in Opinion and Practice;*

Præfice; to all Sensuality, Hypocrisie, Lewdness and Atheism?

Could England be always secure from such Judgments, when some amongst 'em scarce own'd the first Person of the Trinity, by whom they were created? But that many had the Boldness to deny the Divinity of the second Person, by whom they were redeemed, and many other such Blasphemies and Atheistical Notions were daily propagated and spread among them. of which he begg'd their Lordships Permission to cite some few Instances;

Here he quoted a Treatise call'd, *A brief but clear Confutation of the Doctrine of the Trinity. Brief Notes on the Creed of Athanasius. The Account of the Growth of Deism.*

Having expatiated upon this Head, he concluded this Branch thus, If there be any thing in his Sermon, from whence it can be inferr'd that he suggests the Church to be in Danger, yet if it be not suggested to be by Reason of Her Majesty's Administration; and if it was not done with a wicked, malicious and seditious Intent to defame Her Majesty's Administration, and to contradict and arraign the Resolutions of both Houses of Parliament; and unless such an Intention plainly appears, without Innuendo's, he cannot be guilty within the Intent of this Article.

And as to so much of the third Article, which charged that the Doctor, *as a Parallel, mention'd a Vote that the Person of King Charles the First was voted to be out of Danger*; he could not give a better Answer than the Doctor himself had given to it.

Mr. Dee spoke next to this Article, and having scarce advanced any thing new upon it, and Dr. Henchman having done the same, Mr. Dodd begg'd Leave to produce several Books, wherein there were the strangest Opinions that perhaps their Lordships ever heard of; and they should first confine themselves to them which related to Blasphemy, Irreligion and Heresie, which were read at length, and will be found in the Appendix.

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W This done, the Lords adjourned to the 7th, when the Doctor's Council proceeded to the 4th Article, which Mr. Dodd divided into four Heads, and said to the first of them, That the Doctor was so far from suggesting, that Her Majesty's Administration tended to the Destruction of the Constitution, that he had not, as they apprehended, said any thing that could bear such a Construction. The Doctor denied that he had made any Mention of Her Majesty's Administration in Church or State in his Sermon; therefore how could he argue, that it tended to the Destruction of the Constitution? It had not been proved. But he took all Opportunities to speak of the Blessings we enjoy'd under Her Majesty's Government, pray'd for her Preservation, and that She might long reign for the Comfort and Support of the Church; and professed what he spoke proceeded from a tender Concern for Her Majesty and Her Government.

*Mr. Dodd's
Speech to
the 4th
Article.*

That as to the second Part of the Article, That *there were False Brethren that are Men of Character and Stations in Church and State, &c.* Now the False Brethren by him described, were Persons who propagated false Doctrines, who give up the Discipline and Worship of the Church, who were for Neutrality in Religion, or who wish'd well to the Church, but did not shew their Zeal in obeying her Precepts, and defending her Rights. As to that Part of the Charge of *putting it in the Power of others to destroy the Constitution*, he did not mention Men of Characters and Stations in this Place; but, as he took it, in Page 15. where that Passage was supposed to be contained, and yet it was twelve Pages after, before those Words were mentioned. They were not joined together, as was supposed by the Article, and spoke nothing of that Matter; it was a Conjunction of Passages widely different from, and not relating to one another. The Betrayers of the Constitution, to whom the Doctor did refer, were such as by Writing endeavour'd to subvert the Foundation of our Church and State, such as were of a Latitudinarian Principle.

As to a general Male-Administration under Her Majesty, he abhorr'd the Charge, he had no where said it. And here expatiating a little upon the Doctor's Loyalty, he came to the Charge of endeavouring to keep up Distinction of Parties, which he was so far from, that he complain'd of those that had divided us with a Distinction of High and Low Churchmen.

That the next Thing was the raising those groundless Fears and Jealousies that were suggested. He was so far from encouraging it, that he had upon several Occasions severely censured it. And as to stirring up Her Majesty's Subjects to Arms and Violence, he abhorr'd it, and throughout the Sermon asserted the Doctrine of Non-Resistance.

And Lastly, Having endeavour'd to give some Answer to the Charge of the Doctor's perverting several Texts of Scripture, he gave way to Mr. Phipps to speak in the Doctor's Behalf; and having recited the first Part of the 4th Article, He said, in Answer to it, That the Doctor did not any where mention Her Majesty's Administration, either in Ecclesiastical or Civil Affairs. Then as for the Part of the 4th Article, which chargeth, That *the Doctor did suggest that there were Men of Characters, &c.* the Doctor denied he suggested any such things concerning Men of Characters and Stations. Here having complain'd of the Managers transposing and altering of Sentences, by taking a part of one Sentence, and coupling it with part of another, he said, By Men of Characters and Stations, must Men of the highest Characters and Stations be necessarily understood? No, were not Inferior Officers, even Constables, Mayors, &c. all Men of Station?

Here having launched out against Occasional Conformity, and the Dissenters by the by, he came to that Objection against the Doctor, Page 5. *That the Communion of the Church had been rent and divided by Factions and Schismatical Impostors, &c.* and said, Is the Saying this is done with Impunity a Reflection on the Administration? That Blasphemy, Atheism and Prophaneness have been justified in Print; That the Worship and Discipline of the Church have been prophaned and abused, Her Or-

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Mr. Phipps
speaks to
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ders denied and vilified, Her Priests and Professors calumniated, misrepresented and ridicul'd; That Trumpets have been sounded to Rebellion; That Her Majesty and Her whole Administration have been reflected on, I think was sufficiently proved to your Lordships Yesterday; and that it hath been done with Impunity hitherto, I believe will not be denied, for I have not heard that any of these bold Offenders have yet been punish'd; and that the Inferior Magistrates have neglected their Duty in that respect, we have Her Majesty's Authority for it. But that this is a Reflection on Her Majesty, or Her Ministry, is totally denied; for the Execution of the Laws against such Offenders is within the Province of Inferior Magistrates; and God forbid that the Faults of Inferior Magistrates should be charged upon Her Majesty. The several Proclamations issued out by Her Majesty, by the Advice of Her Privy Council, shew, Her Majesty and Her Ministry have done all that in them lies to suppress Blasphemy, Prophaneness and other Vices, and that the Fault and Neglect lies intirely at the Door of the Inferior Magistrates: And this sufficiently answers the Objection, that what is charged upon Inferior Magistrates, cannot reflect on Her Majesty, or her Ministry. And this is also a full Answer to that Part of the fourth Article, which accuseth the Doctor with charging Her Majesty and those in Authority, both in Church and State, with a general Male-Administration: Then having endeavoured to vindicate the Doctor as not being *a publick Incendiary, perswading Her Majesty's Subjects to keep up a Distinction of Factions and Parties,* and some other Matters, he concluded thus, If condemning the Dethroning and Murdering the Royal Martyr King *Charles the First,* be to cast black and odious Colours on his late Majesty and the Revolution; If the averring the utter Illegality of Resistance to the Supreme Power in all things lawful; If Preaching the Doctrine of Passive Obedience and Non-Resistance, which hath been enjoined by our Church, and confirmed by the Legislature, and is the Doctrine of all Christian Churches, shall be construed to be a Reflection on the Revolution, and a greater Re-

Reflection on it now, than the Preaching of the same Doctrine was in the Reign of his late Majesty, who was the happy Instrument of that Revolution; if the Doctor be a Criminal for preaching that Doctrine which the Right Reverend Fathers of our Church, and other eminent Divines, have preach'd, with the Approbation and Applause of the Crown, and both Houses of Parliament, then the Doctor is guilty of the High Crimes and Misdemeanors in the First Article. And if to wish that Dissenters, who qualifie themselves according to the Act, may enjoy the full Benefit of it; if to desire the Laws to be put in Execution against such who will not comply with the Terms prescribed by the Act of Toleration; and if to assert that a Sentence ratified in Heaven cannot be revers'd on Earth, be to affirm the Toleration unreasonable, and the Allowance of it unwarrantable, then the Doctor is also guilty of the High Crimes in the Second Article. And if to assert the Prejudice the Church receives by Schism and Occasional Conformity; if the shewing the heavy Judgment which may be brought down upon a Church and a Nation by Blasphemy, Atheism, Prophaneness and Immorality; if to shew the Danger the Queen and Church are in by rebellious Principles that are daily broach'd and publish'd, be to assert the Church is in Danger under Her Majesty's Administration, the Doctor is likewise guilty of the Crimes in the Third Article. And Lastly, If to pray for Her Majesty's long Continuance on the Throne, for the Comfort and Support of the Church and Nation; if to shew that the Laws against Atheism, Blasphemy, Prophaneness and Irreligion be not put in due Execution by Inferior Magistrates; that is, if to assert in his Pulpit what Her Majesty, by Advice of Her Ministry, hath asserted in four Proclamations, be to reflect on Her Majesty and Her Ministry, and to charge Her Majesty with Male-Administration in Church and State; and if exhorting the People to *put on the Sword of the Spirit, the Shield of Faith, the Breast-plate of Righteousness, and the Helmet of Salvation*, to resist the Devil and all the Powers of Darkness, be to excite Her Ma-

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Majesty's Subjects to Arms and Violence against Her Majesty; and if Preaching up Passive Obedience and Non-Resistance is to stir up People to Rebellion; then the Doctor is guilty of the High Crimes and Misdemeanors in the Fourth Article, especially if strain'd, foreign and unnatural Inferences, Insinuations and Innuendo's are to pass for Proof. But otherwise I presume to say the Doctor is not guilty of any of the Offences charged in either of the Articles, and I humbly hope your Lordships will be of that Opinion.

Mr. Dee's

Speech

to the 4th

Article.

Mr. Dee was the next that took the Word, and said, that as to this Part of the Charge, *viz.* That the Doctor doth suggest, that Men of Characters and Stations were Underminers of our Constitution, it was not to be found in any Part of the Sermon; but if he did suggest, that Men of Characters and Stations (not saying of what Characters or Stations) were False Brethren (if their Lordships took Notice what those Men were, whom the Doctor call'd False Brethren) it would not be a sufficient Ground for a Charge of High Crimes and Misdemeanors. That there were four Sorts of Persons that the Doctor charged as False Brethren, Those that propagated False Doctrines, Those that gave up the Discipline of the Church, Those that were for a Neutrality in Religion, and those that own'd themselves to be of the Church, but lived not according to her Rules. Now to say that there were some Men of Character and Stations in the Nation that were False Brethren, within some one or other of these Descriptions, he wish'd he could say it was not true. But when the Doctor came to charge some Persons as Underminers of the Church and Constitution, they were described to be either those Persons that subverted the Fundamentals of Religion, as Atheists, Deists, Socinians, and such like, or Occasional Conformists, Persons that crept into the Church only with a Design to do it a Mischief.

That there was a general Charge against the Doctor, *that he excited the People to Rebellion.* That if this could be naturally inferr'd from his Words, he

he must be guilty of Self-Contradiction, and ought rather to be pitied as a weak, foolish Man, than punished as a cunning Incendiary: For when he had so positively affirmed the utter Illegality of Resistance to the Supreme Power. if any thing had dropt from him in the same Assembly tending to Rebellion, he would have exposed himself to the utmost Ridicule.

Then having said something to that Expression of sounding a Trumpet, he came to take Notice, how that the Doctor had given great Offence to the Commons by an Expression he had made use of, by way of Exclamation, in the Close of his Answer to the Articles; *Hard is the Lot of the Ministers of the Gospel, &c.* That if this Supposition, as the Doctor had put it, were turned into a Position, he hoped they would pardon him for his Exclamation. If Generals had not been tied to Particulars, to make up these Articles, then the Doctor had no Reason to make that Exclamation; but if the Doctor's Sermon had been so treated, in order to frame the Articles against him, then he was not blameable for that Expression.

Dr. Henchman concluded the Whole, and said it *Dr.* was a known Rule in the Roman Law, *In ambiguis Hench-orationibus maxime sententia spectanda est ejus qui eas man. protulisset.* Wherever Words were capable of a double Construction, there the Intention of the Speaker was chiefly to be look'd after, and attended to. That every Man had a Right to explain his own Intentions, and the darker and more obscure Expressions of his Discourse must be construed by those Passages which were more plain and explicit: This was a Rule in all Civil and Common Cases between Man and Man, but in Criminal Cases, there that Law exacted a stricter and a nicer Proof; wherever the Life or Liberty of a Citizen was concern'd, there the Proofs ought to be *Luce meridiana clariora*, as evident as the Sun at Noon-day, and such as would convince every one at first Sight.

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The last of 'em he mention'd with the greater Confidence, because he found it had once already received the Sanction of that Honourable House, in Sir Samuel Bernadiston's Case, in which it was declar'd, *That Innuendo's or suppos'd Constructions ought not to be allowed, for all Accusations should be plain, and the Crimes ascertain'd.*

Here the Clerk, at the Motion of the Doctor's Council, having read two Proclamations; the first for Restraining the Spreading false News, and Printing and publishing of irreligious and seditious Papers and Libels; and the other for the Encouragement of Piety and Virtue, and for the preventing and punishing of Vice, Prophaneness and Immorality. Mr. Dodd now moved, that their Lordships would be pleas'd to hear the Doctor speak for himself; and having obtain'd that Favour, he deliver'd himself thus.

Dr. Sacheverell's
Speech before the
Lords.

' MY Lords, The Defence made by my Council has been so full, and particular, and the Tryal it self drawn out into so great a Length, that I should not add to your Lordships Trouble by saying any thing for my Self, did I not think that in such a Case, as this, (wherein the Doctrine of our Church, the Dignity of that Holy Order to which I belong, and even the Common Interest of Christianity it self, are so nearly concern'd) it becomes me not to be altogether silent.

' For, my Lords, it has been own'd by some of the Managers for the Honourable House of Commons, that tho' I am the Person Impeach'd, yet my Condemnation is not the Thing principally aim'd at. I am, it seems, an insignificant Tool of a Party, not worth regarding; the avow'd Design of my Impeachment is, by the means of it, to procure an Eternal and Indelible Brand of Infamy, to be fix'd, in a Parliamentary way, on all those who maintain the Doctrine of Non-Resistance, and to have the Clergy directed what Doctrines they are to preach, and what not. And therefore, as Insignificant as I am in my Self, yet the Consequences of my Tryal (if rightly represented to

to your Lordships by some of *these Gentlemen*) are of the highest Moment, and Importance.

Since I am the unfortunat Occasion of bringing Matters in Judgment before your Lordships, it will behove me, I think, after what has been pleaded in my Behalf by my *Council learned in the Law*, to say somewhat also for my *Self*, in order to clear the *Innocence* of my *Intentions*, and remove that Load of *Guilt* and *Infamy*, which may be laid upon me, should your Lordships determine, (as I trust in God, you will not) that the *Articles of Impeachment* exhibited, have been made good against me.

With your Lordships Permission then, I shall lay before you some few *General Remarks*, which in my humble Opinion may be added to what my *Council* have already observ'd concerning the Methods taken by the *Managers for the Honourable House of Commons*, to prove and support the *Articles* of their Charge. And shall then, with your Lordships Leave, say somewhat *severally* to the *Articles* themselves, which may serve to remind your Lordships of what my *Council* before offer'd more at large, and with greater Advantage.

My Lords, The Charge brought against me in these *Articles* is of a very *High* and *Heinous* Nature; and had it been as *clearly* made out, as it has been *strongly* affirm'd, it would justly have exposed me to a very severe Sentence. But the more *Heinous* the Charge is, the more *evident* and *undeniable*, I should think, the *Proof* ought to be. And how, my Lords, has this Charge been supported in the several *Articles* of it? By *plain*, *direct*, and *express* Passages produc'd, and read to your Lordships out of my Sermons; or by *Intendments*, *unnecessary* *Implications*, and *strain'd Constructions*? By laying *entire Sentences* before your Lordships, and relying upon what was *manifestly* contain'd in them; or by *piecing broken Sentences*, and conjoining distant and independent Passages, in order to make me *speak*, what I never thought of?

I am unacquainted, my Lords, with the Methods of *legal Proof*, and little thought I should have had *this* Occasion of enquiring into them.

But,

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But, as far as I am able to comprehend any thing of this Nature, I should think, that there cannot be a *clearer Indication* that I am not Guilty of having asserted what I am charg'd by the several Articles to have, than that so many Hours Learning and Eloquence have been employ'd in proving me to have said it. Had I really affirm'd those Propositions for which I am accus'd, my Sermons being before your Lordships, the Places wherein such Propositions were directly contain'd, might have been referr'd to, and read, with the same Ease as my Council referr'd to the Passages contain'd in the several Writings, and Sermons of the Reverend Fathers, and other Eminent Divines of our Church, wherein they taught the Doctrine of Non-Resistance, in the same Extent as I maintain'd it, or in Terms much stronger.

These Passages, produc'd by my Council, were barely read to your Lordships: No Argument, no Colours were us'd, because none were necessary, to prove what Propositions were laid down in those Passages; whereas, to prove me Guilty of having asserted what is laid to my Charge, after my Sermon and Prefaces were read to your Lordships, much Art and Industry were used to perswade your Lordships, that such Assertions were really contain'd in them.

My Lords, When my Words were capable of two Senses, the worst, and most invidious, tho' at the same time the most strain'd, and unnatural Construction, has been always made of them. Nay, when my Words were so plain and express, that it was impossible to put any criminal Glosses or Colours upon them, I have been accus'd of meaning the direct contrary to what I have said: And when I press'd the Duty of Allegiance to the Queen, your Lordships were told, that it was most certain, I meant the Pretender.

To aggravate my Guilt, I have been accus'd not only for what I am suppos'd to have said, but for what I am allow'd not to have said: Not only for what I have taken notice of in my Sermons, but for what I have pass'd by unobserv'd: I have been charged with Negative Crimes; as if what I omitted

to say, had been omitted with Design, and my Silence it self were Criminal. *March.*

These, my Lords, are the Methods, that have been made use of to prove me Guilty of Crimes, which, if prov'd, might affect my Liberty and Fortune; no favourable Allowances have been made to a Minister of the Gospel, discharging the Duty of his Function, and rebuking Vice and Irreligion with an honest and well-meant Zeal, but sometimes perhaps carrying him into Expressions too open, and unguarded. I could add, my Lords, if such a Complaint might not be thought improper from one in my Circumstances, that in the course of my Accusation, I have been styl'd a Criminal, and treated as such by some of these Honourable Gentlemen, with a Degree of Scorn and Indignity, from which I hop'd my sacred Profession, my present unhappy Condition, and a Regard to this solemn and awful Judicature might have screen'd me.

But, my Lords, I lay aside all Complaints of this Nature, and, with your Lordships Leave, shall proceed to make some few, short Observations upon the several Branches of the Charge exhibited against me.

I am Charg'd, my Lords, in the first Article, with having maintain'd, That the necessary Means us'd to bring about the late Happy Revolution were Odious and Unjustifiable; in Proof of which it has been urg'd, that I have in General Terms asserted, the utter Illegallity of Resistance to the Supreme Power upon any Pretence whatsoever. My Lords, the Resistance in that Passage by me condemn'd, is no where by me applied to the Revolution; nor is it applicable to the Case of the Revolution, the Supreme Power not being then resisted.

My Lords, I neither expressly apply'd my Doctrine of Non-Resistance to the Case of the Revolution, nor had I the least Thoughts of including the Revolution under my General Assertion. I express'd this Doctrine in the same General Terms in which I found it deliver'd by the Apostles of Christ. I taught it as I had learnt it, from the Homilies of our Church, and as I was enjoin'd to teach it, by the Articles of our Religion. I us'd no other Language, than

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' than what had been us'd by our *first Reformers*, by
 ' a continued Series of *Right Reverend Prelates*, and
 ' other *Celebrated Divines* now with God, and by
 ' many of those *Venerable Fathers*, before whom I
 ' stand, and what is perfectly agreeable to the *Laws*,
 ' and *Statutes* of this Realm. I had little Reason to
 ' apprehend that I could ever have been accus'd by
 ' the *Gentlemen of the House of Commons* to your Lord-
 ' ships as a *Criminal*, or as an *Asperser of the Memory of*
 ' the late King, for preaching this Doctrine; when
 ' others, who preach'd the same Doctrine, in the same
 ' Terms, before their late Majesties, before our pre-
 ' sent Gracious Sovereign, (whom I pray God long to
 ' preserve!) before each *House of Parliament*, before
 ' this very *House of Commons*, have met with publiick
 ' *Approbation*: But since it is my singular Misfortune
 ' to be accus'd, for what others have receiv'd Thanks,
 ' in some Instances convey'd to them, by several of
 ' the *Managers themselves*, I do with all humble
 ' Confidence rely upon your Lordships *Justice*; not
 ' doubting that the *Learned the Judges*, if thought
 ' necessary to be consulted, will declare, what I
 ' have in this Case asserted, to be warrant'd by
 ' Law, and the *Right Reverend the Bishops* will
 ' affirm it to be the *Doctrine of the Gospel*.

' The Doctrine I preach'd being the Doctrine of
 ' the *Homilies of our Church*, not express'd only in a
 ' few particular Passages of those *Homilies*, but per-
 ' fectly agreeable to the whole Tenor, the main Scope
 ' and Design of them; and those *Homilies* being
 ' establish'd by the *Thirty Nine Articles*, as contain-
 ' ing godly and wholesome Doctrine; and these *Articles*
 ' being confirm'd by the 13th of *Q. Eliz.*; and that
 ' Statute being made *Perpetual*, and *Fundamental* to the
 ' Constitution by the late *Act of Union*; I leave it to
 ' your Lordships to consider, how far the Condem-
 ' nation of me. on the Account of that Doctrine, may
 ' affect and shake the present Frame of the *British*
 ' Constitution, in Church, and State, and tend to dis-
 ' solve the Union of the two Kingdoms.

' My Lords, Upon the second Article, I would
 ' pray your Lordships to consider, that I have no
 ' where in my Sermon shewn any the least Dislike
 ' of the *Indulgence granted by Law to Dissenters*; that,

on

on the contrary I have declared my *Approbation* of *March.*
 it in the *most express Terms* imaginable, which I
 beg leave once more to repeat to your Lordships
 out of my Sermon preached at St. Paul's. I would
 not (I there say) be *misunderstood*, as if I intended
 to cast the least *invidious Reflection* upon that *Indul-*
gence which the Government hath condescended to give
 them; which I am sure all those who wish well to our
 Church are ready to grant to Consciences truly *Scrupu-*
lous; let them enjoy it in the full Limits the Law hath
 prescribed.

My Lords, This *then was*, and still is my sin-
 cere Opinion, nor am I conscious that I have ut-
 tered one *Word* inconsistent with it, I have indeed
blam'd, and perhaps with some Warmth and Ear-
 nestness *blam'd*, the *Abuses*, which Men of no Con-
 science, have made, of the *Legal Exemption*, gran-
 ted to *Consciences truly scrupulous*: Nor could I
 think that those *Reprehensions* of mine, would
 have drawn upon me the *Displeasure* of any *sincere*
Christian, which were levell'd against *Hypocrites*,
Socinians, *Deists*, and such as under the Umbrage
 of that *Act*, which permits *Protestant Dissenters*,
 and those only, to serve God, every Man in his
 own Way, think themselves at Liberty to be of
 no *Protestant Congregation*, of no *Religion* at all. I
 will farther ingenuously own to your Lordships,
 that I had in my Eye some *Abuses* made of that *Act*
 by the *Dissenters themselves*; who I am told, do
 (both *Pastors* and *People*) rarely observe the *Qualifi-*
cations prescrib'd by that *Act*; and who erect *Se-*
minaries for Educating Youth in *Principles* oppo-
 site to the *Doctrine*, *Discipline*, and *Worship* of our
 Church; whereas that *Act* was intended for the Ease
 of those, whose Minds through the unhappy Pre-
 judices of Education, were already Estranged from
 the Church; not as I humbly conceive, to indulge
 Men in taking the most effectual Methods to *Pro-*
pagate, and *Perpetuate* their *Schism*.

My Lords, Of any Favours to Dissenters gran-
 ted, or intended by the Law, I have no where
 complain'd, of *Toleration*, a word unknown to our
 Laws, and implying, as I am inform'd much more
 than our *Law-Givers* design'd, if I have said any
 thing

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‘ thing *Offensive*, I may, I hope, reasonably pre-
 ‘ sume, that it will not be judg’d by your Lordships
 ‘ in any wise to reflect on that *Act of Exemption*,
 ‘ which I have spoken of in *Terms*, no ways, I
 ‘ think, misbecoming a good *Subject*, or betraying
 ‘ any want of *Christian Moderation*. Nor is there,
 ‘ my Lords, any want of it I conceive in affirming
 ‘ that *this Act*, which relieves some Dissenters from
 ‘ *legal Punishments*, to which they were before Ob-
 ‘ noxious, hath not any ways alter’d the *Nature* of
 ‘ *Schism*, or extinguished the *Obligations* to *Church*-
 ‘ *Communion*; which is an *Evangelical Duty*, incum-
 ‘ bent on all Christians, by the *Rules* of the *Gospel*,
 ‘ *Antecedent* to all *Secular Laws*, and can by no hu-
 ‘ mane Power be *Dispens’d* with. If the *Church* of *Eng-*
 ‘ *land*, my Lords, imposes no *unlawful Terms* of
 ‘ *Communion*, as She certainly does not, then all *Sepa-*
 ‘ *ratists* from her *Communion*, will, notwithstanding
 ‘ the *Indulgence*, continue to be Guilty of *Schism*;
 ‘ The *Consequence* of which *Guilt*, may still rest
 ‘ upon their *Souls*, however it may cease to Affect
 ‘ their *Bodies* or *Estates*. For as no *humane Law* can
 ‘ render that *Lawful* which God hath forbidden, so
 ‘ neither can it make that *Void*, which God hath Com-
 ‘ manded.

‘ My Lords, I am Accus’d, under this Head, of
 ‘ Maintaining, that it is the *Duty* of *Superiour Pastors*
 ‘ to Thunder out their *Ecclesiastical Anathema’s* against
 ‘ Persons Intituled to the *Benefit* of the *Toleration*; I
 ‘ hope, it hath evidently appear’d to your Lordships,
 ‘ that I advance no such *Position*. Sure I am, that
 ‘ my Words do not in themselves carry such a Mean-
 ‘ ing, nor does the *Connexion* of my Discourse re-
 ‘ quire that *Sense*, or easily admit it. *Schismaticks*,
 ‘ my Lords, are not the only Persons against whom
 ‘ *Ecclesiastical Censures* may be denounced; the *Works*
 ‘ of *Darkness*, which I referr’d to, as fit to be Reprob’d
 ‘ in that Part of my Sermon, where I speak of these
 ‘ *Censures*, are of the same kind with those mention-
 ‘ ed by the *Apostle*, whose Words I produc’d, all *lewd*
 ‘ and *immoral Practices*; against these, my Lords,
 ‘ and against *Heresies*, and *Blasphemies* (a black Cata-
 ‘ logue of which has been Display’d before your
 ‘ Lordships) I thought the *Anathema’s* of the Church
 ‘ would

would be well employ'd; such *Anachorites*, I doubt not, my Lords, would be *raised in Heaven*, and would therefore, by any *Power on Earth* be irreversible.

As to *Archbishop Grindal*, tho' I may seem to have us'd some undue Asperity of Expression concerning him, yet I charged him with nothing but what I had good Grounds for, from our *Historians*: It hath been made appear to your Lordships, that, on the Account of his *Remissness in Church-Government*, he liv'd and dy'd under the High Displeasure of *Queen Elizabeth*; and whether therefore he, or that *Glorious Queen*, shall bear the Blame of his Disgrace, and Sufferings, is with all Humility submitted to your Lordships.

I hope, my Lords, I stand Clear in your Opinions, of the Charge advanc'd against me, in the two first *Articles*: and as my own Conscience Acquits me so I trust your Lordships will Acquit me, of whatever is laid to my Charge in the third.

My Lords, I neither have Suggested, nor do in my Conscience believe, that the Church is in the least Peril or Adversity from her Majesty's Administration. So far am I from any such Thoughts, that I am entirely satisfied of Her being a most affectionate Nursing Mother to it. But I hope I may say without Offence, that the Church may be in Peril from other Causes, without any Reflection upon her Majesty's Government, or any Contradiction to Her Royal Proclamation, and the Resolution of both Houses of Parliament, four Years ago. If the Church be in Danger, when the Christian Religion is evidently so, I hope it will be thought no Crime to say, it has scarce ever been in greater Danger than it is now, since Christ had a Church upon Earth. For besides that Deluge of *Prophaneness* and *Immorality*, which overspreads the whole Kingdom; besides the Variety, and growing Strength of those *Schisms* which weaken and divide us, and of those *Heterodox Opinions*, and damnable Heresies, which are daily publish'd and propagated amongst us; I verily believe, that never were the Ministers of Christ so abus'd and villified, never was the Divine Authority of the Holy Scriptures so arraign'd and ridicul'd

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dical'd, never were Infidelity and Atheism so Impudent and Barefac'd, never were such horrid Blasphemies printed in any Christian State; from the Foundation of Christianity to this Day.

Out of the many Instances of this Kind, which being ready at hand, I could have produced to your Lordships, I have Selected a few only; but those such as I am perswaded your Lordships could not hear without Horror and Astonishment. Pardon me, my Lords, if my Apprehension of the sad Consequences we may expect from such crying Abominations, have forc'd from me some Expressions which upon a less Occasion might seem too harsh and vehement. A Man that dreads no Danger from such unparalleled Iniquities, that do as it were call down God's severest Judgments upon that poor Church and Nation, wherein they are openly and daringly Committed, must be dead in his Love for his Country and Religion. If I have disclosed such a frightful and detestable Scene of Impiety, which by reason of your Lordships high Stations and great Employments, might possibly lie undiscovered to your Sight before, I shall think my self happy, whatever shall befall me, if I may by God's Grace become the mean Instrument of putting a stop to that overflowing of Ungodliness and Blasphemy, which as yet no Laws, no Proclamations, how well soever designed, and how often soever repeated, have been able to restrain.

Nor ought I, my Lords, to forget, tho' it was forgotten by the honourable Managers, another Ground of Danger arising to this Church from the Attempts of Popish Emissaries, by me mentioned, I hope without the least Offence in my Sermon at St. Paul's where I say, It were highly to be wish'd that those excellent Laws made for the Defence and Security of the Church, were at present put strictly in Execution; for the Roman Catholick Agents and Missionaries, that swarm about this great City, as 'twere in Defiance and Contempt of them, were never more busie in making Proselytes to their Superstition and Idolatry, and perverting and debauching her Majesty's Subjects in every Corner of our Streets. I have not, my Lords, been called upon to prove the Truth of this Pas-
sage,



‘*sage*, nor has it been reckon’d among the *false In-*
‘*sinuations* I have made that the *Church is in Danger*,
‘I pray God, the Church may be in no Danger,
‘upon any of these Accounts! Her Majesty, your
‘Lordships, and the Commons have indeed provi-
‘ded against these *Dangers* by *wholsom Laws*, and I
‘hope I did not exceed the Limits of my *Function*,
‘when, being call’d to Preach before *Magistrates*,
‘I exhorted them to prevent these *Dangers*, by put-
‘ting those *Laws* strictly in Execution.

‘Just had been the *Indignation* of the *Honourable*
‘*House of Commons*, Just would be your Lordships
‘more severe *Rasentments*, if by any *Parallel* by me
‘drawn, I had insinuated that the *Members of both*
‘*Houses*, who pass’d the *Vote* concerning the *safe and*
‘*flourishing Condition* of the Church, had been then *Con-*
‘*spiring its Ruin*; I have already purg’d my self
‘from this *Imputation* by observing, that the *Paral-*
‘*lel* ascribed to me implies, that they who Voted
‘*King Charles the First* to be out of *Danger*, and
‘those who *Conspir’d his Death*, were the very *same*
‘*Persons*, whereas it is certain they were not; for,
‘my Lords, the *Vote* about the *King’s Safety* was
‘pass’d by *Lords and Commons* a Year and a half be-
‘fore his execrable Murther, which had been con-
‘trived by the *Army*, and was perpetrated by a *pre-*
‘*tended Ordinance* of a *small Remnant* of the *House of*
‘*Commons* (not a tenth Part of the whole) after the rest
‘of the *Members* had been *Imprison’d* or *Secluded*, and
‘without the *Concurrence* of the *House of Peers*, who to-
‘tally rejected it. You have had, my Lords, a very
‘different *Representation* of this *Fact* made by one of
‘the *Learned Managers*: But this, my Lords, is the
‘*real Truth*, as recited in the *Act of Parliament* for
‘the *Attainder* of the *King’s Murtherers*; and is an
‘*Evidence* that I could not possibly mean by any
‘*odious Parallel* to *Insinuate*, that the *Members of*
‘*both Houses*, who pass’d the *Vote* concerning the
‘*Safety* of the Church, were then *Conspiring its*
‘*Ruin*.

‘I humbly crave your Lordships *Patience* yet a
‘little farther, whilst I speak to what is alledg’d
‘in the *Fourth Article*, which charges me with ma-
‘ny Crimes of a *high and flagrant* Nature; none of
‘which

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which have been endeavour'd to be prov'd upon me, otherwise than from *suppos'd Suggestions*, and *undetermin'd Expressions*; and I must still, with your Lordships leave, humbly insist upon it, that where the *Expressions* are doubtful, there the *favourable Sense* is always to be *preferr'd*.

After all that has been said by the *Learned Managers of the Commons*, What Minister of State, I beseech your Lordships, have I been *prov'd to Resist upon directly or indirectly*? Where and how do I, by any *Suggestion*, charge her Majesty or those in *Authority under Her*, with a *general Male-Administration*? How do I persuade her Subjects to keep up a *Distinction of Parties and Factions*, while I Reprove those who divide us by *knaveish Distinctions*, and while I persuade my Fellow-Subjects to *lose and forget them*? How is it possible I should *stir up the People to Arms and Violence*, when I am endeavouring to convince them of the utter *Illegality of Resistance upon any Pretence whatsoever*? These Things, my Lords, seem to be *Inconsistent*, unless a Man may be thought a *Rebel* for recommending *Loyalty*, or *Seditious* for Preaching against *Sedition*.

I remember indeed at the opening of this Charge against me, that one of the *Members of the House of Commons* vouchsafed to offer his *Charitable Assistance towards Reconciling this seeming Inconsistency*; for he was pleased to *suppose*, that when I spake against resisting the *Sovereign*, I had not our *gracious Queen* but *some other Person in view*; and that I might therefore agreeably to my *Principles of Non-Resistance*, stir up the People to Arms and Violence against her *Sacred Majesty*. Your Lordships will once more pardon my Earnestness, if I call God to witness, that I utterly Detest any such *traiterous Intention*; and I should in my own Opinion be unworthy of the Name of a *Christian*, if I could give my self leave to cast such a *black and groundless Imputation* upon any one in like *Circumstances* with mine, who had given all possible *Evidences* of his *Duty and Affection* to the *present Government*. My Lords, I have taken the *Oaths of Allegiance to her Majesty*, and that of *Abjuration* against the *Pretender*, and when therefore I preached the *Doctrine of Non-*

Non-Resistance, it is most apparent, that the Government which I perswaded my Fellow-Subjects not to Resist, is the present Government; and I humbly conceive, that the present Government can never be Overturned if it be never Resisted.

How true a Zeal and Affection I have always born to her Majesty's Person and Government, I leave to be judg'd by your Lordships and the whole World, from these publick Demonstrations which I have given of it at all Times when I had occasion to make mention of either. I hope your Lordships will pardon me if I refer to some of my own printed Expressions as an evident Proof of my unfeigned Duty and Allegiance. "If to call it the most inestimable Blessing this Nation could enjoy, that her Majesty, the good and pious Relict of the Royal Family, sits now happily upon the Throne of her Ancestors; If to pray that God may long preserve her for the Comfort and Support of the Church, as the only Security, under God, it has to depend upon; If earnestly to contend for the Safety, Rights and Establishment of her Majesty, together with those of the Church; If to Vindicate her Majesty's Title to the Crown against the Usurpations, Pretences and Encroachments of her Adversaries, and to assert her Right to the Throne to have been so clear, manifest and undoubted, that even her worst Enemies (could such a pious Princess be supposed to have any) must acknowledge it; That she was proclaimed as it were by the Voice of God in the universal Joy, Satisfaction and Unanimity of her Subjects, that her personal Merit exempted from that, made her worthy of a brighter Diadem than She wears; If to perswade her Subjects with the most hearty Zeal and Generosity, to enter into a necessary War for the Defence of her Majesty and the common Preservation of our Church, Liberties and Constitution, against a powerful Adversary; If to beseech God to prosper so good an Undertaking, to give an happy Event and Issue to such a Rightful Cause, to Crown our Arms with Victory, and to make them as successful, as they are Just and Honourable; And that in order to this we are all bound both in Duty to

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“ God and our Sovereign, as well as by our own In-
 “ terest, unanimously and heartily to Assist and Sup-
 “ port her under this great Undertaking as far as our
 “ Prayers and Estates, Lives and Fortunes can serve
 “ Her; If to perswade her Subjects that the great
 “ and threatening Dangers of our Enemies should
 “ have that just Effect upon us, to unite us as much
 “ in our Resolutions and Affections, as they do in
 “ our common Interests, Apprehensions and Trou-
 “ bles; If to set out the Blessings we enjoy in the
 “ wise Constitution of our Government and Laws,
 “ in the most refined Policies of our Parliament and
 “ Ministry, in the Strength and Number of our Ar-
 “ mies, Fleets and Confederates, in the Care and
 “ and watchful Vigilance, the Courage, Resolution,
 “ and Conduct of our General, and *above all* in the
 “ Piety and Prudence of our *most gracious QUEEN*;
 “ If to affirm that she daily gives fresh Instances of
 “ her Wisdom in the happy Administration of her
 “ Government, and in nothing more shews her Po-
 “ licy and distinguishing Judgment, than in making
 “ choice of such Ministers of State who are accepta-
 “ ble to their Country, and express such a Zeal and
 “ Steadiness in its Service and true interests, and
 “ whom nothing could Bribe or Betray into a Party,
 “ wherein it might any ways seem to be endanger’d
 “ If with the utmost ardent Requests to implore
 “ God’s Providence, which thro’ so many Dangers
 “ and difficulties has raised up and preserved her
 “ Majesty to carry on these glorious Undertakings
 “ with Success, that she may be able to Restore and
 “ Settle the Peace of Europe, in its just Rights and
 “ Limitations; and that as God has bestow’d a
 “ Crown upon her in this World, as the Reward of
 “ these heroick and pious Designs, so, after a long
 “ Reign here he would advance her to an higher
 “ Throne in Heaven, and dignifie her with a glo-
 “ rious and immortal Crown hereafter: If this, my
 “ Lords I say, is *falsely and maliciously* to Suggest, that
 “ her Majesty’s Administration both in Ecclesiastical
 “ and Civil Affairs, tends to the Destruction of the Con-
 “ stitution; If this be charging Her Majesty and those
 “ in Authority under Her, both in Church, and State,
 “ with a general Male-Administration; If this be, as

‘ an Incendiary, to perswade her Subjects to keep up Divisions of Factions and Parties; If this be instilling groundless Jealousies, fomenting destructive Divisions, and stirring up Her Majesty’s Subjects to Arms and Violence, against any but her Enemies, then, my Lords, I am Guilty of this Article of Impeachment; otherwise, I am innocent.

‘ My Lords, I have always thought it my Duty, upon all publick Occasions, to Assert these Principles of Loyalty and Subjection to the Supreme Power, whenever I had a proper Call so to do; of this there are numberless Witnesses in those several Places to which I have belong’d. One of these I beg leave of your Lordships particularly to mention, Magdalen Colloge in Oxford, whereof I am at present an unworthy Member; and which by the known Sufferings of the whole Body for the Church and Constitution, contributed as much towards the late happy Revolution as any Society in the Kingdom. To which Honourable Society I humbly appeal for my Character and Behaviour. I could also appeal for the same to a Right Reverend Lord, that now sits on the Bench of Bishops.

‘ Had it been fit to have troubled your Lordships with Evidences of my hearty Affection to the present Government, I could have produced them in great Abundance, from the Persons with whom I have convers’d, from the Gentlemen whom I have Bred up, and from the Congregations to which I have Preach’d. If my Principles had any Tendency towards Alienating the Affections of Her Majesty’s Subjects, surely some one Instance of my Disloyalty to the QUEEN, some favourable Expressions towards the Pretender, some Indications of my Dislike to the present Settlement, and the Protestant Succession, might have been pitch’d upon, and expos’d to your Lordships, in order to justify the Charge of Sedition against me. But I cannot but with Pleasure, observe to your Lordships, that from the whole Course of my Actions, no one Instance of that kind is alledg’d, or so much as pretended.

‘ My Lords, The Charge of wickedly wresting divers Texts of Scripture lies very heavy upon me, as a Christian and Minister of Christ. If I am Guilty

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of it, there is another Tribunal, another Bar at which I am to appear, and where by that Scripture, which I have wrested, I shall be Judg'd and Condemn'd. In the mean time, my Lords, I hope that those, whose particular Profession, and Studies qualifie them to be the most competent Judges of such Matters, will absolve me in this Particular.

Upon the whole, therefore, my Lords, I hope it appears, that I am not guilty of any of the Crimes of which I am accus'd, that I have Transgress'd no Law of the Land, neither Statute, nor Common Law, relating either to her Majesty, or to my Fellow Subjects, to the Church, or to the State: And that I may with all Humility apply to my own Case, the Words of that blessed Apostle, whose Doctrine I defend, and Example, I hope, I shall have the Grace to follow, Neither against the Law, nor against the Temple, nor against Caesar, have I offended any thing at all.

What I have hitherto humbly offered to your Lordships relates to my Words and Actions; and as to the Thoughts and Intentions of my Heart, which are known only to God, and my own Conscience, and which are affirm'd in my Impeachment to be wicked, seditious and malicious; I call the Searcher of Hearts to witness in the most solemn and religious Manner, as I expect to be acquitted before God, and his Holy Angels, at that Dreadful Tribunal, before which not only I, but all the World, even your Lordships, who now sit in Judgment upon me, must appear, to be Acquitted or Condemn'd; that I had no such wicked, seditious or malicious Intentions; that there is nothing upon Earth, I more detest and abhor; that my Designs were, in every respect, directly contrary. I had no Intention to asperse the Memory of his late Majesty, to traduce, or condemn the late Happy Revolution, or to arraign the Resolutions of both Houses of Parliament. So far was I from designing to undermine and subvert her Majesty's Government, and the Protestant Succession as by Law Established, that it was my sincere Intention to exert my best Endeavours for their Security. So far was I from intending, to persuade her Majesty's

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Subjects to keep up a Distinction of Parties and Factions, from instilling groundless Jealousies, fomenting destructive Divisions among them, or exciting and stirring them up to Arms and Violence, that my Aim was to persuade them to lay aside all Distinctions to unite in one, well compacted Body, to be Obedient to their Governours, and to support the Present Establishment. So far was I from designing to defame her Majesty's Administration, or to infuse any undutiful Thoughts of her, that I not only pay her all Honour and Obedience, but am from the bottom of my Soul zealously, and affectionately Loyal to her; being entirely persuaded, that the Church is so far from being in Danger from her, that She is as heartily affected to its Establishment, and Prosperity, as I hope I have always shew'd my self to be to her Sacred Person and Government.

As to the Protestant Succession by Law Establish'd, tho' the Doctrine which I preach'd tends to the Security of it, (as I heartily desire every thing by me spoken should tend) yet having no Occasion in either of my Sermons to take Notice of it, I do nowhere in those Sermons mention it, nor say any thing that can be Interpreted to have any View towards it. Therefore tho' I cannot with my best Application apprehend, how it comes to be said in the Preamble to my Impeachment, that I had design'd to undermine and subvert it, yet I shall gladly take this opportunity of declaring my self before your Lordships upon that Subject. It is my Sincere and Hearty Prayer, that God would prolong the Life of her most Sacred Majesty. whose Exemplary Goodness and Piety, gives us the best Hopes we have of averting that Vengeance which is due to the Wickedness of the Age we live in; that he would bless her Councils at Home, and her Arms Abroad, and make her Reign exceed that of her Renowned Predecessor Queen Elizabeth, in Length, as well as Glory. But when the Inheretrix of the Blessed Martyr's Crown, and Piety, when She, the Desire of our Eyes, and the Breath of our Nostrils, shall full of Years, and Honour, be Gather'd to her Fathers, and exchange her Temporal for an Immortal Crown; (since we are depriv'd of that Prince, her

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Royal Off-spring, whose Loss no true Lover of his Country, and of the Royal Family can reflect upon without a *Bleeding Heart*, and whom God in his Anger took from us, because we were *unworthy of so inestimable a Blessing*. I earnestly beseech God, in defect of Future Issue from her Majesty, to Perpetuate the Succession of the Crown, as it is *Established* in the most Illustrious House of *Hanover*, which I look upon as, next to his Providence, the best Guard we have against *Popery* and *Arbitrary Power*, the best Security of *our Church*, and of the *Constitution of our Government*, which is the *Glory and Happiness of our own Nation*, and the *Envy of all others*. And I cannot yet apprehend, how the *Doctrine* which I have taught tends to *weaken or undermine* it; nor, on the other side, how the *Doctrine of Resistance*, which brought her Majesty's *Royal Grand-Father* to the Block, (supposing it a true *Doctrine*) comes to be mention'd, or thought of, much less to be industriously maintain'd, as a necessary and indispensable Duty, under the most mild and gracious *Administration* of the best of *Queens*. Nothing seems more strange than that *Resistance* should be so carefully taught under such a Government, unless it be that *Non-Resistance* should overturn it.

So far was I therefore from having any of those *Wicked, Malicious, or Seditious Designs*, which are laid to my Charge, that my Intentions were, on the contrary, to instil the Principles of *Loyalty* and *Obedience* into my Fellow-Subjects, and wihal, to put a stop to that *Torrent of Lewdness, Irreligion, and Atheism*, of which I have given your Lordships so many *flagrant Testimonies*.

Those outrageous Insults upon *God and Goodness*, are so provoking, that they may excuse some *Heat, and Severity of Expression* in a Minister of Christ, who has a *just Sense of Religion*, a due Concern for the Discharge of his *Holy Function*, or for the Honour of his *Maker and Redeemer*. And if any Objection be made against me, for Treating with an *Unbecoming Bitterness* such *Daring Rabshekabs*, who *defy the Living God*; I beg leave to Reply in the Words of a Reverend Father of our Church, *Let*

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' them consider what Moderation, and Temper, a Man
 ' had need be of, that in this Nation, and this Age, shall
 ' speak against Faction, Rebellion, (I add, Deism, Tri-
 ' theism, and all sorts of Heresie, Blasphemy, and A-
 ' theism) without extraordinary Severity. Nay, it is
 ' our Duty in such Cases, to express our selves with
 ' Warmth and Sharpness, according to the Example
 ' of our Blessed Saviour; who, tho' Meekness it self,
 ' could not but shew the utmost Indignation at the
 ' Profaning the House of God. This is not, my Lords,
 ' to rail, but to rebuke; and those who ridicule or
 ' censure us for it, either have not, I presume, or
 ' will not own they have a right Notion of the Dig-
 ' nity of our Office; will not consider that we are
 ' the Ambassadors of Christ, that we are commanded
 ' in his Name to exhort and rebuke with all Authority;
 ' and that our Authority is derived from those to
 ' whom it was said by our Blessed Saviour, *He that*
 ' *despisetb you, despisetb me, and he that despisetb me,*
 ' *despisetb him that sent me.* Whatever Expressions
 ' therefore in my Sermons may have slipt from me
 ' which seem so far liable to Exception, as to carry
 ' a Sense I never intended (as he must be an Hap-
 ' py Speaker indeed, whose Words are altogether
 ' unexceptionable) yet I humbly hope, the above-
 ' mention'd Provocations will plead my Excuse, or
 ' that, at the very worst, some hasty, or even vio-
 ' lent Expressions, shall not be deem'd High Crimes and
 ' Misdemeanors. I desire it may be farther consi-
 ' der'd by your Lordships, that I could have no
 ' Temporal Interests to serve by the Doctrines I ad-
 ' vanc'd; and therefore could have no Design in
 ' view, but to discharge my Duty to God, as a Mini-
 ' ster of Christ, and to my Sovereign, as a Faithful and
 ' Loyal Subject.

' My Lords, These Things being humbly offer'd
 ' to the Consideration of your Lordships, I hope,
 ' that what I have already suffer'd, as a suppos'd Cri-
 ' minal, will be thought sufficient Punishment for
 ' one, who has offended against no Law yet in Be-
 ' ing. It must be thought no little Grief, and Vexa-
 ' tion to any ingenuous Man, to be brought to this
 ' Bar, under the least Suspicion of such Crimes as
 ' are laid to my Charge; but for a Person of my
 ' Function

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Function to have an Accusation of this Nature al-
 ledg'd against him, so heinously reflecting upon
 his Holy Character, in such a foul Blot, as though
 his Innocence should at least be cleared by your
 Lordships, upon the most undeniable Evidence,
 must leave a Scar upon his good Name; which is
 to all Men dear, but much more so to those, whose
 whole Capacity of doing good in the World prin-
 cipally depends upon it.

My Lords, As the Matter of my Charge was high-
 ly criminal, so the Form and Manner of it ran in
 such general, and uncertain Terms, that 'twas im-
 possible to know the Grounds of my Accusation;
 or how to defend my self, when I knew not where
 I should be attack'd. So that after I had provided
 as particular an Answer as such a general Accusati-
 on would admit of, the Commons were pleas'd in
 their Replication to say, *That there were several*
Things in it Foreign to the Charge. To the great
 Misfortune of falling under the Displeasure of that
 Honourable House, I might add, That of a long and
 close Confinement, and of an Expence no ways pro-
 portion'd to my Circumstances. These, my Lords,
 are Afflictions which can be conceiv'd by no Body
 so well as by him, who has been so unhappy as
 to feel the Weight of them. And among these I
 reckon it not the least of my Sufferings, that I have
 been for so long a time debarr'd, *from taking heed*
to that Flock, over which the Holy Ghost hath made me
an Overseer. For even since I have had my Li-
 berty, by the Favour of your Lordships admitting
 me to Bail, I have purposely avoided doing any
 Part of the Duty of my Function, or even appearing
 in Publick, lest it should occasion any Tumult or
 Disturbance; as my necessary Attendance on your
 Lordships from time to time, has since been thought
 unhappily to have done, without any Fault of mine,
 or the least degree of Encouragement given by me,
 which I profess, in the presence of God, to ab-
 hor.

All these Circumstances, my Lords, being con-
 sider'd, together with the Publick Manner, the
 Length and Solemnity of my Trial, before so August
 a Court of Judicature, by which Means I am made



' a Gazing-Stock, both by Reproaches, and Afflictions,
 ' and a Spectacle to the whole World, I have stood in
 ' this Place Day after Day, to hear my self Accus'd
 ' of the blackest Crimes, and openly revil'd; I have
 ' been represented as a Papist in Disguise, as a Rebel,
 ' as an Enemy to her Majesty's Person and Govern-
 ' ment, and a Favourer of the Pretender, tho' I have ab-
 ' jur'd him, (but not forgot him, as a Learned Per-
 ' son was pleas'd to say) that is, as the worst of Per-
 ' jur'd Villains: I have been call'd an insignificant Tool
 ' of a Party on the one Hand, and a most dangerous
 ' Incendiary on the other, nay, an Angel, that is, a
 ' Devil, detach'd from the Infernal Regions: All these
 ' things, I say, being considered, (and your Lordships
 ' I am sure, in tender Compassion to me, will consi-
 ' der them,) it is most certain, that, whatever be
 ' your Lordships Determination concerning me, I
 ' cannot escape without being a very great Sufferer,
 ' and I shall have been abundantly punish'd tho' I
 ' should have the Happiness to be by your Lordships
 ' at last Acquitted.

' Yet I cannot Reflect without Comfort, (the great-
 ' est of Comforts next to that of a good Cause, and a
 ' good Conscience) that I Answer for myself this Day be-
 ' fore the most Illustrious Assembly in the World,
 ' the whole Body of the Nobility of Great Britain; whose
 ' Princely Extraction, and High Quality, whose Magni-
 ' ficent Titles, and Splendid Fortunes, whose Hereditary
 ' Candor and Generosity, inherent in Noble Blood, inse-
 ' parable from the Birth and Education of Peers; in a
 ' Word, whose solid Judgment and exact Skill in the
 ' Laws of this Realm, so eminently Qualify them for
 ' the final Determination of Justice; who are neither
 ' to be sway'd by Hopes, over-ruled by Fears, or mis-
 ' led by any False Prejudice or Passion. If it must be a
 ' Man's Misfortune to labour under such hard Circum-
 ' stances as mine, it is no small Mitigation of them,
 ' that he Pleads his Cause before such Judges, who, he
 ' knows, will Decide it with the strictest Impartiality,
 ' Equity, and Honour.

' And when I consider that I now stand, and am
 ' Judg'd for some of the Doctrines of that Gospel, which
 ' God deliver'd unto our Fathers, and you, my Lords
 ' the Bishops, their Successors, have received from
 ' Christ

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Christ and his Apostles, as the Sacred Depositum of the Church, to be maintained inviolably in its Primitive Simplicity; when I consider, what is the Cause for which I am this Day call'd in Question; that it is One of those Eternal Truths, which you are so Solemnly commissioned to Teach, and earnestly Contend for; when I consider, that 'tis what our Blessed Lord and his Apostles seal'd with their precious Blood, and so many Primitive Martyrs maintained even in the midst of Flames, so many Learned Bishops, and Confessors recommended to Posterity in their immortal Writings, as the distinguishing Badge, and Glory of our Reformation; nay, when I consider, that 'tis what you your selves have already supported with incontestible Reason, and Authority; it is no small Satisfaction to me to think, that as your Lordships are my Judges, so, I hope in God, you must be my Advocates. What a Guilt, as well as Disgrace, would it justly devolve upon the Clergy, to recede from any Principle of our excellent Church, especially from what has been so long retain'd and boasted of, as its peculiar Character! By abandoning which we must relapse into some of the worst Doctrines even of Popery it self, and render ourselves the most contemptible, as well as inconsistent Church in the World! I think, I may therefore with Confidence use the Words of the Great Apostle to his Accusers; Having obtain'd Help from God, I continue unto this Day, witnessing both to small and great; saying none other Things than those which the Prophets and Moses (I may add, Christ and his Apostles,) did say.

For, my Lords, if I have committed any Faults or Errors in Expression, yet as I insist upon my Innocence with respect to all the High Crimes laid to my Charge, so I must still insist upon all the Doctrines, which I have taught, as being agreeable to the Word of God, and to the Doctrine of our excellent and Apostolical Church, and which we of the Clergy are oblig'd both by Subscription, and Oath to acknowledge and defend. And how hard are our Circumstances, if we must be punish'd in this World for doing that, which if we do not, we shall be more heavily punish'd in the next! What a Condition are we in, if we are commanded to cry aloud and spare not, to ex-

hort,



' *born, rebuke in Season and out of Season, on the one*
 ' *Hand, and prosecuted, imprisoned, ruin'd on the o-*
 ' *ther! If this be our Case, who indeed is sufficient for*
 ' *these Things? And how truly may we of the Mini-*
 ' *stry above all Men living, apply to ourselves those*
 ' *Words of the Apostle, If in this Life only we have*
 ' *hope in Christ, we are of all Men most Miserable, But*
 ' *our Comfort is, that our Hope in Christ is not only*
 ' *in this Life. Justly might we be reproached, and*
 ' *deserve some of those Reflections, which in these*
 ' *Licentious Times are so plentifully pour'd upon us,*
 ' *were we not ready to Practise the Doctrines we*
 ' *Preach, of Self-Denial, taking up our Cross, and pati-*
 ' *ent Submission to Sufferings and Afflictions! For my*
 ' *own Part, it matters not what becomes of me, nor is*
 ' *my Deliverance, or Ruin, of any Moment to the*
 ' *World; or, if it be, I am ready not only to be bound,*
 ' *but to die, could I by that do Service to my Queen,*
 ' *my Church, or my Country; neither count I my Life*
 ' *dear, so that I might finish my Course with Joy, and*
 ' *the Ministry which I have received of the Lord Jesus.*
 ' *But may God so direct your Lordships, that through*
 ' *me a Wound may not be given to the Doctrines of*
 ' *the Scriptures, and of the Church, which Christ hath*
 ' *purchas'd with his own Blood.*

' And so with all Humility and Resignation, I sub-
 ' mit my self to your Lordships Judgment; be it what
 ' it will, *one Thing* I am sure it can never take from
 ' me, the Power of *Wishing and Praying*, and (whe-
 ' ther in *Prosperity or Adversity*, whether I am *Acquit-*
 ' *ted, or Condemn'd,*) I shall always pray for the
 ' Queen my Sovereign, for your Lordships my Jud-
 ' ges, and for the Commons my *Accusers*; most ear-
 ' nestly beseeching Almighty God, to deliver all
 ' Orders and Degrees of Men amongst us, from all
 ' *false Doctrine, Heresie, and Schism, from Hardness of*
 ' *Heart, from Contempt of his Word and Commandment;*
 ' *from Envy, Hatred, and Malice, and all Uncharitable-*
 ' *ness.*

It was agreed on all Hands that the Doctor deli- *Reflections*
 vered this Speech with a very good Grace, and the *upon it.*
 same being a Studied. Artful and Pathetick Piece,
 it made great Impression on many of the Auditory,
 and



and drew even Tears from some of the most tender-hearted among the Fair Sex; but had a quite contrary Effect upon others, who look'd upon it as a kind of a sly Recantation of what the Doctor had advanced in his Sermons. The Truth of it is, there was such a Dissimilitude between the Speech and the Sermon, both as to Matter and Stile, that Men of Letters could never believe they were the Product of one Brain, but that the former was of the Composition of one or two Eminent Divines in the Church who are famous for Stile and Oratory. Be it as it will, the Non-jurors railed against this Speech, and the Person that delivered it, sufficiently among themselves, and some of them openly, as never expecting after such a Sermon he should so avowedly utter such things as were so disagreeable to their Minds and Inclinations.

Neither of the Two Houses of Parliament sat on the 8th Instant, by reason the same was solemnized as a Festival, as being the Anniversary of her Majesty's auspicious Accession to the Throne; but on the 9th the Lords proceeded further on the Trial, the Queen being present; and Five of the Managers for the House of Commons, (Sir Joseph Fekyl, Mr. Solicitor-General, Mr. Lechmere, Sir Peter King and Mr. Comper) replied to Dr. Sacheverell's Defence, as to the First and Second Articles.

The Managers Reply to the Doctor's Defence. 9.

Sir Joseph Fekyl.

Sir Joseph Fekyl begun with the Concessions made by the Doctor's Council, That Necessity created an Exception to the General Rule of Submission to the Prince, that such Exception was not understood or implied in the Laws that required such Submission, and that the Cause of the Revolution was a Case of Necessity. That these were Concessions so ample and did so fully answer the Drift of the Commons in that Article, and were to the utmost Extent of their Meaning in it, that he could not forbear congratulating them upon this Success of their Impeachment: that in full Parliament that erroneous Doctrine of unlimited Non-Resistance was given up and disclaimed. And might it not in after Ages be an Addition to the Glories of that bright Reign, that so many of those who were honoured with being in her Majesty's Service, had been at their Lordships

Bar

Barthus successfully contending for the National Rights of her People, and proving they were not precarious or remediless. How little these Concessions ought to avail the Doctor, their Lordships would see, when they consider'd how likely it was he would retract them when his Turn was serv'd. Might they not then expect he would use that very Argument of Necessity, the Coercion or Restraint he was under by his Prosecution, as an Excuse for these Concessions?

Then he came to consider the Exposition put by the Doctor's Council on those Passages, which the Commons relied on for Proof of their first Article. He readily agreed that *no strained Inuendo's, or suppos'd and forc'd Constructions* ought to be admitted to explain the Meaning of the Doctor, in order to prove him Criminal. But he would not have it gone away with, that there must be express Words of Scandal to make a Man a Criminal; indirect or oblique Scandal had in all Times been met with, and punish'd in the ordinary Courts of Justice; and in this Case they had not only a seditious Meaning, plainly collected from the Doctor's Words, but express Criminal Words, a false Suggestion, that his late Majesty in his Declaration disclaimed the least Imputation of Resistance, introduc'd for a malicious and seditious Purpose. He told their Lordships it was evident, that the Doctor did not mean the Supreme Législative Power, but the Supreme Executive Power; First, from the Account he presently gave of those that oppos'd his Principle of Non-Resistance, which ran all along upon the Person of the Prince only, *as Cancelling their Allegiance, calling their Sovereign to Account, Dethroning and Murdering him.* Secondly from his bringing in the Case of the Revolution, as urg'd by those who were Adversaries to his Principle of Non-Resistance. That the Revolution was not, could not be urg'd as an Instance of the Lawfulness of any thing, but of resisting the Supreme Executive Power acting in Opposition to the Laws; and this the Doctor himself admitted when he told your Lordships that *the Supreme Power was not then resisted.* This was therefore the
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Supreme Power he affirmed in his Sermon it was utterly unlawful to resist.

Then having learnedly answered some Objections of the Doctor's Council, he came to the Second Branch of the First Article, the Doctor's Assertion, *That his late Majesty in his Declaration disclaimed the least Imputation of Resistance*; and the Doctor's Answer to it. That his Council admitted this Assertion was in the Sermon, and that that Assertion was not true. They said he must mean Conquest, because the Prince of Orange, who was no Subject, but a Sovereign Prince, could not be said to resist according to the common Understanding of that Word. That it was true, the Prince of Orange could not be said to resist, and so could not disclaim Resistance for himself; but could he not be join'd and assisted by the Subjects of the Realm, who might be said to resist, and were invited by him so to do? Did not this appear by the whole Tenor of his Declaration, and even by the Passages quoted by the Doctor? But it was said he had explained that he meant Conquest by Resistance in the Body of the Sermon, because he said *the Parliament burnt a Libel that would have pleaded the Title of Conquest, by which Resistance was supposed*; but that this Passage did not make out that he meant Conquest by Resistance, was evident, from his making Resistance not to be Conquest, but only an Ingredient in it. And by representing Resistance and Conquest to be the same thing with the Doctor, he was made to say, that the Parliament burnt a Libel that would have pleaded the Title of Conquest, by which Conquest is supposed.

As to the third Branch of the first Article, *That to impute Resistance to the Revolution, was to cast black and odious Colours upon his late Majesty and the Revolution*; The Answer to this was, that the Persons the Doctor described as casting black and odious Colours on his late Majesty and the Revolution, were not those who imputed Resistance to the Revolution, of whom he affirmed nothing, but those new Preachers and new Politicians, who taught Antimonarchical and wicked Doctrines, and who urged the Revolution in Defence of them. He said if the Doctor had meant those Persons, he would have shewn them, which

which he certainly might have done, that what was acted at the Revolution did not in the least justify their Opinions: but the Declining to do that, and placing the Defence of the Revolution on a false Fact, known to be so to himself and to the whole Nation, and this, taken together with his introducing these Men as defending their Principles by the Revolution, left the Load of these detestable Opinions on the Revolution, and not only condemned the Resistance at the Revolution, but branded it.

Having enlarged hereupon, and answered Doctor *Henchman's* Objections, and some others of the Council, and said somewhat to the Acts of Parliament, Homilies, &c. produced in the Doctor's Behalf, Mr. Solicitor-General spake next, and among other things, told their Lordships, that the Commons took it to be very clear, that upon stating of the whole Paragraph, and all the Words in the order in which they lay, and upon comparing the several Passages, it would manifestly appear that what the Doctor said about *casting Black and Odious Colours* upon the Revolution could be applied only to those who maintained that the Resistance used to bring about the Revolution was lawful and just, and that the Persons he called *our Adversaries* were such as urged the Revolution in opposition to his general Doctrine of the utter Illegality of Resistance upon any Pretence whatsoever, and not to those who urged the Revolution in Defence of those damnable Positions, which he said the new Preachers and new Politicians had lain down. This the Commons apprehended to be the only Meaning that his Words in any Construction could bear; for *the Point* he was speaking of, and which he said his Adversaries thought they had him sure and unanswerable upon, must be some certain single Position which was mentioned before, some one Position or Principle, and not many; for 'twas *this Point*, not the *Principles*; and that single Point could be no other, than the *Point of Resistance*: and the Persons he called his Adversaries, who thought they had him sure, could be no other than those who denied his general Doctrine, and not those new Preachers and new Politicians, who said the People had a Power vested in them to

Mr. Solicitor General

cancel their Allegiance at pleasure; because those who denied this general Position of the utter Illegality of Resistance, as applied to any one particular Case, were certainly his Adversaries, and Enemies to his Fundamental Doctrine; for whoever could find an excepted Case, or shew an Instance in which Resistance was lawful, destroyed his general Assertion; and he sufficiently shewed that he meant those who oppos'd his general Doctrine of Absolute Non-Resistance, by *our Adversaries*, when he said that they urged the Revolution of that Day in their Defence, because the Resistance at the Revolution, which was founded on Unavoidable Necessity, could be no Defence to a Man that was attack'd for asserting, that the People might cancel their Allegiance at Pleasure, or Dethrone and Murther their Sovereign by a Judiciary Sentence; for it could never be inferred from the Lawfulness of Resistance at a time when a *Total Subversion* of the Government both in Church and State was intended, that a People might take up Arms and call their Sovereign to account at Pleasure; and therefore, since the Revolution could be of no Service in giving the least Colour for asserting any such wicked Principle; the Doctor could never intend to put it into the Mouths of those new Preachers and new Politicians for a Defence, unless it was his Opinion, that the Resistance at the Revolution could bear any Parallel with the Execrable Murther of the Royal Martyr, so justly detested by the whole Nation; or that there was no other Difference between the two Cases than what the learned Gentleman, who first spoke for him, was pleased to mention in the Conclusion of his Argument, by quoting an odious Expression which he forbore to repeat; but it was very proper to take Notice of the Resistance at the Revolution, as an Objection to his general Doctrine, for it really was so, and 'twas impossible that Doctrine could be true in its full Extent, if the Resistance at the Revolution was lawful; for 'twas most apparent, that the Justice of a Revolution, founded in Resistance, and the Principle of Non-Resistance upon any Pretence whatsoever, could never stand together. That it was plain the Doctor was not Impeach'd for preach-

ing a general Doctrine, and enforcing the general Duty of Obedience, but for preaching against an Excepted Case, after he had stated the Exception; He was not impeach'd for preaching the general Doctrine of Obedience, and the utter Illegality of Resistance upon any Pretence whatsoever; but because, having first laid down the general Doctrine as true, without any Exception; he stated the Excepted Case, the Revolution, in express Terms, as an Objection; and then assumed the Consideration of that Excepted Case, denied there was any Resistance in the Revolution, and asserted, that to impute Resistance to the Revolution, would cast Black and Odious Colours upon it. That this was not preaching the Doctrine of Non-Resistance in the general Terms used by the Homilies, and the Fathers of the Church, where Cases of Necessity might be understood to be excepted by a Tacit Implication, as the Council had allowed, but was preaching directly against the Resistance at the Revolution, which in the Course of this Debate had been all along admitted to be necessary and just, and could have no other Meaning than to bring a Dishonour upon the Revolution, and an Odium upon those Great and Illustrious Persons, those Friends to the Monarchy and the Church, that assisted in bringing it about.

Mr. Lechmere reply'd the last of the Managers to the first Article, and after having handled the Matter admirably well, more particularly some Passages which fell from the Doctor's Council. He draws towards a Conclusion, and says thus: My Lords, How comes it to pass, that so little Concern has been shewn in the Course of this Debate from the Bar, to that which was the proper Defence of the Criminal, to clear the Passages of his Sermon from the noxious Meaning, they had been shewn to bear? How comes it to pass, that the Honour and Justice of the Revolution is thus tenderly Acknowledged; but yet all that has been said to Support it, has by this Gentleman been endeavour'd to be enervated, and at the same Time the extreamest Zeal shewn to Establish the general Position, tho' altogether immaterial? I'll

Mr. Lech-
mere.

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once more venture at a *charitable Reconciliation* of these seeming *Inconsistencies*: Upon a very strict and minute Recollection, your Lordships will find that the *Resistance*, the *Necessary Means* us'd to bring about the Revolution, is never once Acknowledg'd in that first Discourse, in *plain and express Terms*: The Case of Necessity in general, the Case of the Revolution, was so ambiguously spoke of, and so skillfully given up, that by the *kind help of some happy Distinction*, when the *Season is proper*, 'twill be easie to retrieve it; tho' your Lordships may remember some plausible Expressions concerning the Justice of the Revolution, yet you will find the real Conclusions of the Discourse tend to condemn it; and such remarkable Instances chosen, such as the Case of the two *Spaners*, which, being applied to the Case of the Revolution, represents its Principles damnable, its Consequences detestable, and the Affectors of it deserving Banishment; Your Lordships will find the Argument so well adjusted to the *main Point in view*, to Establish the *slavish Doctrine* of *Absolute unlimited Non-Resistance*, that, if the worst should happen, even that against which we are now contending, the judicious Reserves that Gentlemen has used on the Point in Question, and the real Service he may be thought to have done to that *slavish Doctrine*, may in due time, raise a Merit in Favour of its Consequences.

But, as an undeniable Evidence of a *sincere Affection* to the Case of Necessity, the Case of the Revolution, let me put your Lordships in mind of the Passage quoted from Mr. Pym in his Declaration against Doctor Manwaring: The Doctrine preached in those Days, and for which he was Impeach'd by the Commons was, the attributing an Absolute Power to the King over the Property of the Subject, tho' with some *deceitful* Limitations, as that of extreme and urgent Necessity. Mr. Pym had shewn the Vanity and Fruitfulness of that Limitation, it being left to the Prince to determine what is urgent and pressing Necessity; and to represent the Danger of such a Case, of allowing any Exception upon any Pretence, even that of Extreme Necessity, he cites the Charter of Lewis X. of France to the Dutchy of Normandy, wherein that Prince having acknowledged the Fran-
chises

chises of the Dutchy, and granted to them, That for ever afterwards they should be free from all Exactions from him and his Successors, these Words followed *unless great Necessity required*; which small Exception, Mr Pym observed, had in time devoured all their Immunities. Mr. Pym in that Speech, arguing against the Position advanc'd by Dr. Manwaring, condemns the least Pretence of any Exception: The Gentleman, who quoted this Passage from him, having endeavoured to establish his general Doctrine of Absolute Non-Resistance, the Doctrine preach'd by Dr. Sacheverell, and having shewn the Danger of mentioning any Exception to it, even that of the Case of Necessity, and *such a Case*, he had before told your Lordships, *the Revolution* was, concludes from the Instance, That such Expressions would in time devour all Allegiance. This my Lords, hath been the Method, these have been the Arguments us'd to acquit the Doctor, to shew the Innocence of his Intention, and that there was no Design, either in his Sermon or his Defence, to condemn the Resistance, *the necessary means* which brought about the late Happy Revolution; And from these Observations you may possibly discern the Consistency of the whole Defence. I beg leave only to turn the Case, to suppose a Case of a real Design to condemn the late Glorious Revolution, and all the happy Consequences of it: At a time, when some plausible Expressions of the Justice of it, may be thought Useful and Necessary; and, at such a time, let the Illegality of Resistance on any Pretence whatsoever be laid down and enforc'd in its utmost Extent; let the Danger of stating or mentioning any Exception to it, be strongly inculcated; let the Justice of the Exception, even in the Case of Necessity, *such a Case as the Revolution was*, be illustrated by an Instance, wherein 'tis expressly condemn'd; and, may it not be said, 'tis easie to discern what Spirit *such a Person* is of, of what Party he is, what he aims at, and what he intends? That he has not been speaking in Defence of the late Revolution, *can't be look'd upon* to have been arguing for it, and to shew the Justice of it, but was covering the Treason of his Heart, and under Pretence of

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justifying one Revolution, was labouring to bring about another? But what vain Imaginations must possess those Minds, which can flatter themselves into a Belief, that even, whilst they are maintaining Principles that tend most certainly to undermine the Foundation of her Majesty's Government, and the Protestant Succession, the most Solemn Protestations out of the same Mouth, and in the same breath should pass for an Attonement with your Lordships, or give Satisfaction to any that hear them?

Sir Peter
King's
Speech to
the Second
Article.

Sir Peter King's Province was to Reply to the Answer that had been given by the Doctor, to the Charge of the Commons of Great Britain, with Relation to the Second Article, and said, when the Doctor put in his Answer to this Article, he had not found out that there was a Toleration granted by Law to the Dissenters, but his Council had now found it out, and they do agree, that there is a Toleration granted by Law, and that it is that Indulgence which is contain'd in the Act made in the time of the late King and Queen; but they insist at the same time, that the Doctor in his Sermon has not condemn'd or censur'd that Toleration; they say, he has condemn'd a Toleration, but they insinuate there are two Tolerations mention'd in his Sermon, the one a Toleration granted by Law, which he allows and approves of; and the other a general unlimited Toleration, which they admit he does condemn; so that we are now agreed upon the Word Toleration, and they admit that he doth in his Sermon Censure and Condemn a Toleration; But, say they, it is not the Toleration granted by Law, because he took Care in his Sermon that his general Expressions should not be misconstru'd, and put in this express Caution in the 20th Page, *I would not be here misunderstood, as if I intended to cast the least invidious Reflection, &c.* Then having recited the first Passage out of his Sermon, to prove this Charge, So that in all those Cases before-mentioned, whosoever presumes to innovate, &c. He said the former part is relative to what went before, the latter part is a general Assertion, That *Heterodoxy in the*
Doctrines

Doctrines of the Church infers Rebellion and High-Treason in the State. The relative part of this Clause has Relation to the several Doctrines mentioned before, among which, one of the Cases and Instances of False Brotherhood, is, 'The affirming, that the 'Divine Apostolical Institution of Episcopacy is a 'novel Doctrine, not sufficiently warranted by 'Scripture; whoever affirms this, is guilty of an 'Innovation or Alteration of the Articles of our 'Church: Now the Dissenters, of all Sorts, universally hold this Proposition, and they are exempted from Subscribing the 36th Article which asserts Episcopacy: But, saith the Doctor, tho' they are exempted, yet whosoever asserts this Proposition is to be punish'd as a Traytor to the State, as well as an Enemy to the Church.

The Learned *Civilian* of Council for the Doctor, says, That the reading of the whole Passage, will shew that it was not intended for the Dissenters, but for One in Holy Orders; that if such a One should maintain this Doctrine, *he would be an Apostate from his own Order*; now this Allegation is true, as it stands in p. 8. absolutely consider'd in its self, it is there apply'd to One in Holy Orders; but as it stands in relation to this Clause, in p. 10. it is a general Assertion, That *whosoever innovates, or alters that Article of the Church, which the Dissenters do, ought to be Arraign'd as a Traytor to the State.*

Then having replied to another Answer that had been given hereto, *viz.* That the Doctor there meant those who were for Innovations and Alterations in Matters of Faith, which could respect the Dissenters, he came to the general Proposition immediately following in the same Clause, *viz.* 'Heretodoxy in the Doctrine of one, naturally producing, and almost necessarily inferring Rebellion and High-Treason in the other, and consequently a Crime that concerns the Civil Magistrate as much to punish and restrain, as the Ecclesiastical: And said, I don't remember that any Answer whatsoever is given to it by the Doctor or his Council. And I pray your Lordships cast your Eyes on this, and see here is an Affirmation, That any different Opinion in any of the Articles of the Church, is a

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Crime

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Crime against the State. Now, all the Dissenters are exempted by the Act of Toleration from subscribing three Articles and an half, others from four and an half, and others from all. And when this Act grants them all these Exemptions, shall it be affirmed that this Heterodoxy allow'd by that Act is High-Treason and Rebellion, and that they ought to be arraign'd as Traitors? I submit to every one's Judgment, Whether any thing can be more plain against the Toleration than this?

It would be too tedious to cite the other Passages with the unanswerable Replys made by this Learned Gentleman, with what he farther said in Vindication of Archbishop *Grindall*, and therefore we will proceed to what was done on the 10th, when Mr. *Cowper* spoke to the same Article, and began thus:

Mr. Cow-
per to the
Second
Article.
10.

My Lords, when by Command of the Commons I spoke to your Lordships a few Days since, in Maintenance of the Second Article, towards the Conclusion of what I then said, I presented to your Lordships a short View of what I apprehended we might reasonably expect would be the Consequence of the Doctor's bitter Invectives against the Act of Toleration, and the Persons intended to be protected by it. I likewise took Notice of those Heats and Disputes, of the Feuds and Animosities, which were then apparently stirred up throughout the Kingdom.

I am sorry to have so early an Occasion to say, that my Apprehensions in this Particular were so well grounded: Your Lordships have seen that this Seditious Libel, under the specious Title of a Sermon, calculated to seduce and delude the Rabble, has, even during the Continuance of the Trial, produc'd an actual Rebellion; in which several Places of Religious Worship (appointed for those Persons who are by Law tollerated and allowed, but have the Misfortune nevertheless to be represented by Dr. *Sacheverell* as necessary to be destroyed) have been accordingly pull'd down, and burnt in Defiance of the Supreme Power of the Kingdom; and this, my Lords, at the Instigation of One who would be thought an Advocate for Passive Obedience. I could wish the Prisoner's indiscreet Behaviour (which seems

seems to have abused the Liberty with which your Lordships have indulged him) may not unhappily have given some Occasion to the Outrage and Violence of late committed, notwithstanding the Apology he has made in this Particular.

Sure I am, that Discord which flames in the Kingdom was unheard of among us, until the Toleration was thus publickly and seditiously branded, until Dr. *Sacheverell* had presum'd to represent it to the People, its impossible to say how! without referring to his own Libel.

His Council have observed, that the Second Article contains several Charges, and have insisted that the Passages given in Evidence by the Commons, are not sufficient to maintain the First and Second; as to the Third and Fourth, they seem rather to justify than deny those Branches of the Charge. My Lords, the Commons apprehend, notwithstanding what has been said, First, that Dr. *Sacheverell* has plainly suggested and maintained, *That the Toleration granted to Dissenters is unreasonable, and the Allowance of it unwarrantable.* This, my Lords, we insist he has done, not in ambiguous or doubtful Words, nor in uncertain Expressions, but in direct and positive Assertions. The Council admit, that to speak against a Law in being cannot be justified. The Act of Toleration is not only a Law in being, but is a Law which has visibly attained the End for which it was made; that is to say, by giving Ease to scrupulous Consciences in the Exercise of Religion, it has proved an effectual Means to unite her Majesty's Protestant Subjects in Interest and Affection. Yet, my Lords, this Law, which by the Experience of more than Twenty Years has been found so useful and necessary, hath been traduced and arraigned by the Prisoner, both from the Pulpit and the Press, with a malicious and seditious Purpose, to destroy the Publick Peace and Security of the Kingdom. This Offence, it seems, is of too high a Nature to be justified by the Prisoner and his Council, and therefore it is thought more expedient to deny it. The Turn that's given is this, say they, Dr. *Sacheverell* affirms nothing touching Legal Indulgence or Toleration, but all that he has said respects

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respects only Universal Toleration. My Lords, I thought I had obviated this Excuse, by observing that this Notion of Universal Toleration has been conceived and brought forth since the Impeachment.

Then having enter'd into the Question, whether the Toleration mentioned in the Libel was intended or could be understood of Universal Toleration, and very appositely proved the contrary, he concluded thus: My Lords, as the Commons are fully sensible how necessary it is to support the Honour and Justice of the Revolution, to which we owe no less than the inestimable Blessing of her present Majesty, the Guardian Angel of this Church and State, the future Expectation of a *Protestant Succession*, the Religion, Laws, Rights and Liberties of the *British Nation*; so are they thoroughly convinced that the Peace and Welfare, the Security and Strength of the Kingdom in great Measure depend upon the inviolable Preservation of the Act of Toleration, which has been most maliciously and seditiously traduced and misrepresented by Dr. *Sacheverell*.

Mr. Thomson's Reply to the Third Article.

Mr. *Thomson* who was to reply to the Third Article, having recited the Charge, said, the first Passage I produced to your Lordships to prove the Charge was in Page the 5th; I must beg leave to trouble your Lordships with reading it again, because it may be necessary; 'Tho' it were very obvious to draw a Parallel here betwixt the sad Circumstances of the Church of *Corinth* formerly, and the Church of *England* at present, wherein our Holy Communion has been rent and divided by Factious and Schismatical Impostors; her pure Doctrine has been corrupted and defiled, her Primitive Worship and Discipline prophaned and abused, her Sacred Orders denied and vilified, her Priests and Professors (like *St. Paul*) calumniated, misrepresented and ridiculed, her Altars and Sacraments prostituted to *Hypocrites, Deists, Socinians* and *Atheists*; and this done, I wish I could not say without Discouragement, I am sure with Impunity, not only by our professed Enemies, but which is worse, by our pretended Friends and False Brethren.

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The learned Council pretended to shew, that most of these Calamities attending the Church, proceeded from the Blasphemous and Heretical Books and Pamphlets produced to your Lordships: and that the Doctor meant them to be the Cause of the Danger he suggests: Now pray, my Lords, how can that Construction be made? How can this be done consistent with the Doctor's Assertion, that all this is done not only by professed Enemies (which every Body will agree takes in the Infidels, Blaphemers and Hereticks) but by pretended Friends and False Brethren? When I took the Liberty to observe on this Passage, I stated it thus; who could prostitute Altars and Sacraments to *Hypocrites, Deists, Socinians and Atheists*, but some of the Doctor's own Order? And who were to punish those Crimes? Who could they be that did not discourage them, but suffered them to be committed with Impunity, but his Ecclesiastical Superiours? And that they were part of her Majesty's Administration, no Body could deny.

Now what Answer, my Lords, was given to this? To the first Part of this Paragraph about rending the Communion by Schismatical Impostors, and so to the other Particulars, till the last, it was shifred off to the professed Enemies, the *Infidels, Blasphemers and Hereticks, Dissenting Teachers and Popish Priests*, but nothing laid to the False Brethren, who, the Doctor says, neither Punish nor Discourage. But when the Learned Council came to the last Calamity of the Church, that of prostituting the Altars and Sacraments, &c. they are pleased to make *Occasional Conformists* their *Atheists*, &c. that receive the Sacraments; but as to the Charge of Arraigning the Persons that do not discourage or punish those who prostitute Altars to Atheists, &c. they thought fit to slide it over, and not say one Syllable to it; they did not so much as mumble this Thistle, and the others but very tenderly. Pray, my Lords, in the Interpretation I make, where is there any Foreign Intendment, any forced Construction, or strained Inference against the Doctor's express Words, and positive Assertions? Let every candid Reader, without prejudice impartially consider the Meaning of
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this Passage; Is this a Danger suggested from Books or Pamphlets? Or is it not a plain and direct Intention against those Persons in the Church who are charged with being the Occasion of these Dangers to the Church by their Remissness in their Duty, not only in not punishing, but not so much as discouraging those Crimes: And to whom can his lazy Defenders within relate, but to the same Persons, those that are within the Church, and are to protect it.

But if it were true, that Altars and Sacraments were thus prostituted, why must the World be told in this manner of it? Tho' it is the Duty of a Clergyman at all Seasons, and in all Places, as one of the Doctor's Council was pleased to say, to preach against Vice and Infidelity, Immorality and Profaneness; yet sure none will say, that he is to revile his Superiors, and charge them in this Method with their want of Duty, and Care for the Church: What other end must such licentious Reproaches produce, but a Contempt of their Persons, a lessening the Dignity of their Order, and a Diminution of that Character which gives them the Capacity of doing good in the World, whilst they preserve a Veneration and Esteem, but which must cease when they meet with the Contrary: the Doctor was so sensible of this, when he mentioned it as his own Case, that he thought the very Imputation of a Crime to any of his Function, tho' acquitted of it, must leave a Scar so as to blemish his Character; sure then he ought to have used the utmost Caution before he preached or published this Sermon, and to have considered the pernicious Consequences of reviling those in Authority. If, as he was pleased to say, ill-treating of him, who was an Ambassador of Christ, was despising Christ himself; sure it cannot be thought an unnatural Inference, if her Majesty is said to be reviled, by reflecting on those who Act under her Commission, and are part of her Administration.

Then he came to the Second Passage he had troubled their Lordships with, in Page 16 he says the Doctor had been talking of the Comprehension and Union of the Church and Dissenters, and giving

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ing a great many hard Names to it; which Design your Lordships know had its rise from a Commission under the Great Seal from his late Majesty to several Lords, Bishops, and other Learned Divines, who were to consider of proper Methods to accomplish it; ' But he thanks God, that Providence had blasted the long projected Scheme of these Ecclesiastical *Achisophels*, with other scurrilous Reflections on the Design, and those concerned in it; and then he says, ' That since this Model of Universal Liberty and Coalition failed, and these False Brethren could not carry the Conventicle into the Church, they were now resolved to bring the Church into the Conventicle, which will more plausibly and sily effect her Ruin; what could not be gained by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity; that is, what they could not do by open Violence, they will not fail by secret Treachery to accomplish. If the Church can't be pull'd down. it may blown up; and no matter with these Men how it is destroyed, so that it is destroyed.

Now pray, my Lords, where is the forced Construction to make the Doctor in this Passage speak of Persons in Church and State who endanger the Church, and not of Books and Pamphlets, Vice, Infidelity, &c.

He is on his Second general Head of the Perils of False Brethren in Church and State, and of those Persons who could not accomplish the Destruction of the Church by the Comprehension, but were doing it another way, by Occasional Conformity and Moderation; I do not know that either of these are condemned by the Law for Vice, Infidelity, Blasphemy, Heresy or Prophaness; be that as it will, 'tis from the Persons in Church and State the Danger is suggested to arise, and who, as he is pleased to say, make use of these only as Means to blow up and destroy the Church: But then, I suppose, these Persons in the Church, must be interpreted to be only the most inferior, and so no Reflection on the Administration: As Men of Characters and Stations in the State were construed to be Constables, Excise-

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men and Custom-House Officers, so these Persons who were to bring about the Comprehension, and are now blowing up and undermining the Church in another manner, must be Church-Wardens, Parish Clerks and Sextons. These sort of Constructions by the Doctor's Learned Council, are so easy and natural, that I must agree with his Observation, that they have not much Argument, Learning or Eloquence to support them.

And I cannot but observe a very extraordinary Method of answering this Passage and the next, by one of the Learned Council, which were never mention'd by me, or any of the Managers of this Article, and with very strenuous Zeal he explains those Passages by chiming in with the Doctor, in charging Occasional Conformists with Atheism, Deism, and the worst of Crimes; and then he concludes, that the Doctor, in those Passages he cited, has not asserted the Church to be in Danger under her Majesty's Administration, but not one Syllable to this Passage which I cited in *Page* the 16th.

Then having Recapitulated the third and fourth Passages, he says to the last, The Substance of the Charge in this is an Intention to reflect on the Members who Voted the Church to be out of Danger, by the Comparison and Allusion to the Vote relating to the King; the Meaning seems evidently, that tho' the King was voted to be out of Danger, yet he was not out of Danger; and so, tho' the Church was Voted out of Danger, yet the Church was then, and is still in Danger: But whether he meant it of the Members that passed that Vote, is the Question; He says, he only meant it according to his Notion of the Vote of the King, that those not privy to the Design against him voted him safe, whilst others conspired his murder; so when the Members Voted the Church of *England* to be in no Danger under her Majesty's Administration, it was none of them, but others that were conspiring her Ruin.

The Doctor was pleased to say too, That the Vote was a Year and a half before the King's Death, and that there were not a Tenth Part of those Members who Voted the King safe, the rest being turned out, and no House of Lords: Be that as it will, they

they were the same Parliament that Voted the King out of Danger; and they that conspir'd his Death, were part of those who Voted him safe, and who turned out the rest to accomplish their Designs: And tho' the Parallel should not run so as to reflect on both Houses of Parliament and all the Members, yet if it glances at some of them, and was so intended, it is a Circumstance of Aggravation, and that is the only intent of its being part of the Article; and I can't but think the Doctor was apprehensive of some Reflection of that kind, for he says immediately the very next Words, 'That he hopes what he has so freely spoken will not give Offence: If he had not a view to that Vote of the Danger of the Church, there was no occasion for that Apology.

The fifth and last place I troubled your Lordships with, was in the last Page, where there were some Pathetical Expressions which the Doctor chose out of the Scripture, and managed them with others of his own, so as to represent the Church to be in the utmost Peril; he mentions nothing of Vice, Blasphemy or Infidelity, 'But that she lies Bleeding of the Wounds she has received in the House of her Friends: He cited the *Lamentations* for it, but there being no such Text there, I took the Liberty of saying it was a Lamentation of his own making.

I should not trouble your Lordships any more as to this Particular, but that I am in some measure oblig'd to Vindicate my self from what one of the Learned Council hinted upon this Occasion: he was pleased to say in the Defence to the first Article, he was as much at a loss to find out a Passage in the Sermon, as one of the Managers was to find the Text in the *Lamentations*. Tho', my Lords, this is but a Trifle to the Thing in Question before your Lordships, yet since that learned Gentleman was pleased to Triumph, as if he had me sure and unanswerable on this Point, I beg your Lordships Indulgence that it may appear which of us is in the right.

The Doctor cited that Text to be in the 2d *Lam.* 4th, I looked through the *Lamentations*, therefore knew I might venture to say what I did; I have looked over it again, and am sure there is no such Text there; it gave me occasion to read and reflect
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on the other Texts cited by the Doctor in the Prophecy of *Zachariab*, the 13th Chapter, where there are some Words that I suppose are meant, though I could not but observe the Doctor to be very unhappy in the choice of his Scripture, this as well as others being directly contrary to his Purpose. The Words cited are in the sixth Verse, the two preceding Verses explain them; the subject Matter was false Prophecy. In the fourth Verse 'tis said, 'It shall come to pass in that Day, that the Prophet shall be ashamed, every one of his Vision, when he has Prophesied. In the fifth Verse the Prophet is to deny that he is a Prophet, and say, he is a *Husbandman*, and no Prophet. And in the sixth Verse he is asked where he received his Wounds, he answers, *in the House of his Friends*: So that he retains the Character of a false Prophet all along, and what he says in each Verse is equally true, and consequently that the Wounds he received were not in the House of his Friends. Whatever may be thought of the Doctor in this Matter, I think I may conclude, that his Learned Council had his Scripture by hearsay, or else he would not have triumph'd when he had so little Reason. There was a Dispute, my Lords, not many Years since, between two Learned Divines of our Church, about the Rights of the Convocation; one insulted the other for his Ignorance in the Common Prayer Book; but upon Examination it appear'd, that he who triumph'd most was most Ignorant of what he charged on the other: Whether this Case is not somewhat applicable, I submit to your Lordships.

I must now beg leave to observe a little on the Evidence produced on the Doctor's Behalf, and in his Defence to this Article. Your Lordships had a Collection of many scandalous Books and Pamphlets, drawn from Obscurity, to be republish'd to the World; for the more effectual suppressing Blasphemy and Prophaneness: And since the Doctor's Council forbore to mention the Particulars, I shall not enter into them; only in general I think I may say, that they have been proved to be no way material to what is in Issue before your Lordships: But it may not be improper to take Notice, that most

most of these Books appear'd to have stolen into the World, and the Authors still concealed; some of them Printed in *Holland* seventeen Years ago, and others Publish'd since the Doctor's Sermon: And for the *Observers*, and *Rights of the Christian Church*, 'tis well known the Author of the one, and Publisher of the other have been Prosecuted; so that these cannot be said to be tolerated with Impunity, nor meant as the Provocation for the Doctor's Censure.

I am sorry there are any of these prophane and impious Pamphlets: There are some others too that have been Publish'd within these seventeen Years, which might have been taken notice of, but I don't find them in the Doctor's Catalogue. There was a blasphemous Sermon preach'd and publish'd by Dr. *Binks*; Mr. *Dodwell's Charge of Schism*, and unbishoping most of the present Bishops; the same Gentleman's *Baptismal Union of the Spirit*, or his *No Immortality of the Soul*; and one Mr. *Lesley's Project of uniting ours and the Gallick Church*. Whether these Books were thought by the Doctor to tend to the right Establishing our Church and true Religion, I need not say, but I do think they were worthy his Notice, and may vie with most in his Collection; and if he had been so incensed against erroneous Doctrines, it had been a worthy Task sure, and well becoming his honest well-meaning Zeal, to have endeavour'd a Confutation of them; then his Asperity in rebuking, his harsh and vehement Expressions, would not have been ill employed: But, instead of this, to turn his Violence against his Superiors, for not Punishing what, it may be, they never heard of; and to lay the Danger from these Doctrines at their Doors, is not to be justified by any pretended Provocation of this kind whatsoever.

Here having answered the Objections about *Innuendo's* he concluded thus: Not only those Passages which I have produc'd which are exprefs, but the whole Scope and Tenor of his Sermon, relates to the Peril of the Church from Persons in Church and State, and not those evasive Shifts of Vice and Infidelity, Books and Pamphlets. If the Doctor had only rebuk'd Immorality, Blasphemy, Pro-

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phaneness and Irreligion, he might still have attended his Flock, * and they not have been brought to attend him, nor would he have been thought to Arraign the Resolution of the Parliament; but for him to take upon him to Censure and Expose his Superiors, and to insinuate into the Minds of the People the Danger of the Church from those Persons who have the Protection of it, is no likely Method to suppress Immorality and Prophaneness, and is directly contrary to the Words and Intent of the Resolution of your Lordships and the Commons,

To what End the Doctor has thought fit thus to disperse his Sermons, may be easily imagined; and your Lordships cannot be unacquainted with the History of a Neighbour Nation, what temporal ends were to be accomplish'd by a loud Out-cry of Danger to the Church, the Church, Religion and the Church. Whether that will not bear a Parallel with the groundless Clamours which have occasioned many of our present unhappy Divisions, I submit to your Lordships.

It remains, my Lords, that I Answer one of the Learned Council, what is the Nature of this Offence: I shall only tell him in the Words of your Lordships and the Commons Resolution, made publick by her Majesty's Proclamation, " That whoever
 " creates unreasonable Distrusts, and groundless
 " Jealousies in the Minds of the People; Whoever
 " Distracts the Kingdom by false and seditious Rumours of the Danger of the Church, to cover
 " Designs they dare not own; Whoever goes about
 " to Insinuate that the Church is not in a safe and
 " flourishing Condition under her Majesty's happy
 " Administration, is an Enemy to the Queen, the
 " Church, and the Kingdom. Which, in other Words, is, Against the Law, against the Temple, and against *Cæsar* has he offended.

Nay, my Lords, has not this bold Offender gone yet farther, has he not told your Lordships at your own Bar, That, notwithstanding the Toleration, the

* His Parishioners part of the Mob that attended him so and from his Trial

the Dissenters are Schismaticks, and liable to Spiritual Censure; That by continuing the Indulgence to them, you countenance Schism; and that while Schism is continued, the Church must be in Danger? So that resolve what you please, and make what Laws you will in their Favour, he must Thunder out his vehement *Anathemas* against them, as Dangerous to the Church.

This, my Lords, is a Specimen of that Independence of the Church that of late has been so much struggled for, and which, if not confuted in time, by Authority, may soon devour the Supremacy and the State. And since the Doctor has and does still thus presume to Defie and Arraign the Resolution of your Lordships and the Commons, he is properly before this Tribunal; and I may apply to him the Saying to a Goat browsing on a Vine, and which was applied to one of another Function upon such an Occasion, who had defied the Power of Parliaments.

Rode Caper vitem, tamen hinc cum stabis ad Aras

In tua quod fundi Cornua possit, erit.

My Lords, The Commons are so fully assured of your Lordships Wisdom and Justice, that they cannot question but your Determination in this Proceeding will be to their Satisfaction; therefore I shall trouble you no farther, but submit to your Lordships Judgment.

Sir Thomas Parker being the Person appointed to Reply to the Councils Objections as to the fourth Article, made so famous a Speech on the Occasion, that we cannot omit inserting most of it here in its full length.

Sir Thomas Parker's Reply to the fourth Article.

The first Thing I attempted to prove by particular Passages, was the second Clause of this Article. That Doctor Sacheverell suggests, That there are Men of Characters and Stations in Church and State, who are False Brethren, &c. That I thought would be plainly made out, if I could shew these two Things: 1. That the Doctor has asserted, in express Terms, of all False Brethren in general, that they do in themselves weaken, undermine and betray, and do encourage and put it in the Power of

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‘ others, who are professed Enemies, to overturn
 ‘ and destroy the Constitution and Establishment:
 And, 2 That he charges Persons of Characters and
 Stations with False Brotherhood.

Apprehending the Consequences clear, that if these two Things were asserted by the Doctor, the Charge was just. Besides some little Cavils as to the two Propositions, which I shall take notice of by the way; great Complaint is made, often repeated and much exaggerated, that I have brought together these two Propositions, that are twelve, or nine, or at least seven Pages assunder.

My Lords, I took notice of this trifling Objection before, and what I said to it, neither the Doctor nor his Council have attempted to Answer. But they all seeming to lay the greatest Stress upon this Part, and the Council every one repeating it, I beg Leave to state once more how that Matter stands. The Doctor in his Sermon proposes (1) to describe False Brethren; (2) To shew the Mischief, and (3) the Malignity of it. And this single Consideration would make one expect, that these Heads should relate to one another, at whatever Distance he takes them up.

Under the second Head, page 15, he asserts of all False Brotherhood in general, that ‘ they do in themselves weaken, undermine and betray, and do encourage and put it in the Power of others, who are professed Enemies, to overturn and destroy the Constitution and Establishment,

This is my first Proposition in Terms, and nothing is objected to it, only a little Attempt is made to divert the Question, by mentioning some particular sorts of False Brethren, and saying he here speaks of False Brethren in some of those Senses of the Word. I agree it; he that speaks of all, speaks of such as are included in those Senses of the Word, which he mentions; but likewise speaks of all others too; speaks of such as he has mention’d any where else, as well as there, such as are Men of Characters und Stations, as well as such as are not.

Under the third Head, In shewing the Malignity of this Sin (not in it self, that he had shewn before, but) with regard to the World: He instances first, in
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the *Mischief* arising from *Men of Characters and Stations*, in the Words I formerly cited. This, I thought, made out my second Proposition to be the *Doctor's*, 'That *Men of Characters and Stations are False Brethren*. This is faintly deny'd; and 'tis said, he does not here suggest *Men of Characters and Stations* to be *False Brethren*; but what is here spoke relates to their private *Behaviour*, and not to the *Administration*. Besides, that this is directly against the plain Import of the Words, to let your Lordships see the *Candour* of this *Defence*, let us suppose it true; and that it is the *Doctor's Opinion* that the Persons he here speaks of, be they *great* or *mean*, are not *False Brethren*.

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Then the *Doctor*, to be consistent with this *Defence*, must affirm, that he there sets forth the *Malignity* of *False Brotherhood*, by shewing the *Malignity* of another Sin, which is not *FALSE BROTHERHOOD* in Persons of *Characters and Stations*, who are not *FALSE BRETHREN*. This is the wretched Shift he is driven to, raking it the best for him. That these *Characters and Stations* relate both to *Church and State*, all his Discourse in the Places cited, and *every where else*, shews, nor has he or his Council made it an *Objection* that they do not; so that it would be very much mispending your Lordships Time, to go to *prove*, what is not deny'd, that by *Men of Characters and Stations*, he intends *Men of Characters and Stations in Church and State*.

The two *Propositions* being thus cleared, let us see if that, which is laid hold of to declaim so earnestly upon, have any more weight in it, that is, the *joining* together these two *distant* Propositions. The *Objection*, rightly stated, is this: He has in one Place affirmed of *all False Brethren* in general, 'That they do in themselves weaken, undermine and betray, and put it in the Power of others, who are professed Enemies, to overturn and destroy the Constitution and Establishment; and seven pages off, has represented *Men of Characters and Stations* as *False Brethren*: And we (very unreasonably!) have charged him with suggesting, 'That there are *Men of Characters and Stations* in *Church and State*, who are *False Brethren*, and do in themselves weaken;

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undermine and betray, and do encourage and put it in the Power of others who are profess'd Enemies, to overturn and destroy the Constitution and Establishment. This is the true Strength of the Objection, and the very stating it exposes it.

The general Mischief he mentions as common to False Brethren, Page 15, I presume will be admitted to belong to those described Page 7; why then not as well to those Page 22? Must not what is said of all False Brethren extend both to those whose Crime he describes, and those to whose Malignity for that Crime he exposes? And which is most to be regarded, the Distance of the Place, or the Connexion of the Scheme, and the Nature of the Propositions?

The Doctor himself seems rather to press the Objection thus, That this is Inference, and joining independent Propositions; which, tho' spoke by him in general, the Unanimity of his Council in falling upon this Part of what I said, shew, it was principally with a View to these two Passages: Are then Passages that speak of all False Brethren, and that speak of some particular False Brethren independent? My Lords, these are so far from being independent, and so ill have they chosen out, what to find fault with, that (if your Lordships will pardon the Pedantry, considering I have a Man of Logick and Disputation to deal with) the two Propositions are the two Propositions of a Syllogism concluding in the first Figure.

And the Inference he complains of, is the Conclusion necessarily arising from them, according to the Rules of Logick. The whole Syllogism runs thus.

All False Brethren do in themselves weaken, undermine and betray, and do encourage and put it in the Power of others who are profess'd Enemies, to overturn and destroy the Constitution and Establishment. Persons of Characters and Stations are False Brethren. Therefore Persons of Characters and Stations do, &c.

The two first Propositions are what I have shewn the Doctor plainly to lay down; the other only a necessary Consequence. Would any one expect that the Doctor should be so forgetful of the Rules of Logick, as when he had laid down the Premises, to deny the Conclusion? or to deny the Conclusion to be HIS DOCTRINE, who laid down those Premises

Premises? Can it be thought that he laid them down without an Intention that, his *Hearers* should make the *Conclusion*? or could he think it possible they should not make it? Or shall the suppressing a Conclusion so plainly arising, which is taken notice of in some that write of Logick as an *Elegance* in Discourse, pass for an *Excuse*?

Let the Doctor describe *False Brethren* in general as *Betrayers and Destroyers* of the Church, and the proper *Objects* of the Rage and Fury of the People, and then expose as *False Brethren* those in the *Administration*, Persons of *Characters* and *Stations*, from the chief to the least, the People will quickly make the *Application*.

If any one should inflame the Mob to such a Degree of *Rage* and *mistaken Zeal*, as to forget the *Spirit* of the *Gospel*, and to believe it their *Duty* to serve God, by breaking the *publick Peace*, and to support his Church, by pulling down all Meeting-Houses; and rifling the Houses of all Dissenters; he needs afterwards only to tell them, THIS IS A MEETING-HOUSE, HERE LIVETH A DISSENTER, they are not so dull as to fail of making the *Conclusion*: THEREFORE THIS HOUSE IS TO BE PULL'D DOWN. THEREFORE THIS MAN IS TO BE PLUNDER'D, and of putting it immediately in *Execution* where they dare. Suppose such a Man should in *Defence* of himself say, 'I did not bid them pull down this House, nor rifle that; my telling them 'All Meeting-Houses were to be pull'd down, All Dissenters to be mark'd and plunder'd, was four Months before I told them THIS WAS A MEETING-HOUSE, OR THAT MAN A DISSENTER, and to carry back a Man's Words spoke only by way of *Information*, to what was said four Months before by way of *Doctrine*, is the greatest *Hardship* in the World. Would this pass for an *Excuse*? Or would it not add to the *Indignation* against so impertinent a *Trifler* on so sad an Occasion.

My Lords, the burning a Meeting-House, the burning all the Meeting-Houses, the laying this *Metropolis* once more in Ashes by the *Enemies* of our Constitution

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stitution, is nothing to the inflaming the Nation, and rendring the QUEEN and her ADMINISTRATION odious to the People. Shall it then be an *Excuse* for the Doctor here, when he has laid down the *Premises*, to say, that he has not in *Words* expressed the *Conclusion*? Shall the meanest of the People clearly and rightly collect this is Dr. Sacheverell's *Doctrine*; and shall not we in *accusing*, and your Lordships in *judging*, be allowed to collect it, when we are endeavouring to preserve the Queen and *Constitution*, and all that is dear to us? Surely, my Lords, we shall. Nor is the *strict Consequence* that your Lordships find in this Clause always necessary in Cases of this Nature: But I was willing to shew it here, that your Lordships may see with what Justice this was made the great *Topick*, whereupon to declaim against *Hardships*, and to couple such *Inferences* with *Inuendo's*, as if both were the same. As for taking one *Part* of one *Sentence* and another *Part* of another, whoever makes a *Conclusion* in *Logick* ever does it; and only then does amiss in it, when in doing it he departs from the proper Rule, and where the *Consequence* is not just; which I have shewn is not the Case here, and no Body has attempted to make out that it is. 'Tis as little to the Purpose what is said, that he has not restrained this to Persons of the HIGHEST CHARACTERS AND STATIONS, which I shewed so fully before, that it has been thought more adviseable to pretend I admitted what I believe I plainly disproved, than to offer any Answer to my Reasons.

I'll only add, that 'tis not pretended, that there is one Word in the Sermon that looks like the least Hint that only inferior Officers were meant; and 'tis plainly shewn, that others were intended: And then the Doctor's Excuse amounts, at best, but to this. He has indeed spoke in reproachful Terms of Magistrates in general, he has pointed to those that have and those that bestow, the Honours of the Church, and Places and Preferments in the State; he has pointed to the Chief: his Reasonings when he shews the Malignity of the Sin from Examples of Persons of Characters and Stations is the stronger, the Greater these Persons are, as the Examples of the greatest are the most

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most Contagious; but yet he relies upon it, that since the general Mention of Persons of Characters and Stations takes in the Meanest as well as the Greatest, 'tis not to be doubted but the all-discerning People, especially when sufficiently fir'd and enrag'd, will restrain the Words to the most innocent Meaning, and apply them only to inferior Officers, Constables, and those in the nearest Degrees to them. This is the Sum of this notable Excuse. Let this therefore, where, by bending their united Force against it, they seem'd to have the greatest Hopes of making some Impression, serve for the Specimen chosen by themselves, of the Hardships of Inferences and Innuendo's in this Charge.

The third Clause, 'That he chargeth her Majesty, and those in Authority under Her, with a general Maladministration; The first, That he suggests that Her Majesty's Administration, both in Ecclesiastical and Civil Affairs, tends to the Destruction of the Constitution; are so manifest, that after what has been said, and is unanswer'd, it would be but losing time to make them more plain. And their Defence, and the Books and Pamphlets read on this Head, are not to the Purpose. For sure, the shewing that there have been some Paltry Scriblers, few in Number, many long since dead, some mad, some that have undergone the infamous Punishment of the Pillory, most of them prosecuted or unknown, does not prove that there are Seminaries for the open Profession of those Blasphemies and Impieties; much less that they are suffer'd by the Government, or that their Follies can be called an open Violence upon the Church, or their Faults made the general Character of the Nation, and charg'd upon the Queen and Her Administration. When a scandalous Book is publish'd, or contagious Sin committed, any Subject who has a real Zeal to prevent the Mischief spreading, may apply to the proper Magistrate to suppress it; and if inferior Magistrates neglect their Duty, may carry the Complaint, against them and it, to their Superiors.

But is it to be endur'd, in any established Government, that a Man pass over all the Magistrates, and make an Appeal to the People, not only against the Offenders,

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Offenders, but against the *Magistrates* too? This is properly *Faction*, this is invading the *Royal Authority*; 'tis, in the Doctor's own Words, 'A rebellious Appeal to the People as the *Dernier Resort of Justice and Dominion*, 'tis erecting a *Popular Tribunal*, where not only *SCRIBLERS*, but the *QUEEN* and Her *AUTHORITY* are to be try'd.

The Doctor indeed pretends that his *Zeal* was only against those *Offenders*, and such as keep not within the *Bounds* of the *Toleration Act*; that his *Warmth of Speech*, was only to stir up the *Magistrates* to put the *Laws* strictly in *Execution*; and he solemnly protests he intended no *Reflection* on the *Queen*, or Her *Ministry*; that by the *Dangers* of the *Church*, he meant only those *Judgments*, which the just *Anger* of a provok'd *God* might be reasonably expected to inflict on so wicked a *People*. My Lord, I am amazed at the Doctor's *Solemn Protestations*; I will avoid hard Words as much as I can, but if when he calls *God* to *Witness* in so solemn a *Manner*, he should then speak without *Foundation of Truth*, plainly against his *Sermon*, and be even then using the little *Arts of Evasion*, and diverting the *Question*, instead of that *Sincerity* which ought to accompany so solemn an *Oath*, I leave it to your Lordships to give a *Name* to such *Behaviour*. Is it possible to say he intended not to reflect on the *Administration*?

'Then having read two Pages in his *Sermon* beginning thus, *Secondly*, In regard to the *World*. 'What a vast *Scandal*, and *Offence* must it give to all Persons of *Piety* and *Integrity*, to see Men of *Characters* and *Stations*, thus shift and prevaricate with their *Principles*, &c. *Thirdly*, With regard to a *Man's self*, it is hard to Distinguish whether our *False Brethren* prove themselves *Guilty* of more excessive *Knavery*, or *Folly*, &c.

Is that true, that he only calls upon the *Magistrates* for *Justice* upon these *Offenders*? If his *Intent* really were to exhort the *Magistrates*, before whom he preached, to put the *Laws* in *Execution*, one would expect to find it vehemently pressed under the fourth Head, where he undertakes to shew what should be the *Result of all*; but I have searched carefully, and can find nothing there, nor any where else, of such *Exhortation*.

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hortation. There is indeed a Calling upon the Pastors of the Church, who were not present, to thunder out Anathemas against Schism; which could not be to persuade those Pastors that did not hear him, but to condemn their Remissnesses to the People that did. But all the rest is to the People, to adhere to the Fundamental Principles, to watch against, MARK AND AVOID, these that desert them; to give Place BY SUBJECTION, *no not an Hour*; to despise sneaking, shuffling COMPLIANCES, and put on their BRAVEST Resolutions which the PRESENT Case requir'd; there is a denouncing Woe to the fearful Heart and faint Hands, a shewing the Perils and low Estate of the Church, that her Sons deserted her, that she lay bleeding of her Wounds, that her Adversaries were CHIEF, and her Enemies AT THAT TIME prosper'd. Is this the Language of one that is only laying before Magistrates the Abuses of a few inferior Persons, within their Power, subject to their Authority, and whom they could easily crush, and desiring those Magistrates to correct them? In short, Is it calling upon the Magistrates, or upon the People, for Justice?

Again: He solemnly declares his Meaning in the Sermon to have been, That the Dangers of the Church are only such as rise from the Sins of the Nation, but not in the least from Her Majesty and Her Administration. Let any one cast his Eye upon the Sermon, or upon the Dedication of that preach'd at Derby, and try how the several Expressions suit this Scheme, and he will see the Doctor had nothing of it in view then, but that 'tis contriv'd since, for him to pretend now. What Dangers of the Church and Constitution he means in the Sermon, is too plain to be shifted off by a Protestation; He tells you expressly what they are, and from whom; from Men, whom he describes as being in the Administration, who undermine and betray the Church, and enable others to destroy it; they are such as he apprehends, not from the Hands of God, but from the Treachery and Violence of Men. Accordingly, the whole tends, to stir up Anger, Indignation and Fury against those Men, not to move Humiliation and Prayers to God to avert those impending Judgments,

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But possibly he may expect to be understood, not of an immediate Vengeance of God, or *by delivering us into the Hands of a foreign Enemy*, but his permitting wicked Men at Home to overthrow the Church. If we take it to be so ; this solemn Protestation is a mere *Evasion*, and a *shifting the Question*. 'Tis true, the *Overthrow of the Church and Constitution* is the *heaviest Judgment* can befall us, and if it does happen, must be accounted the *Act of Divine Justice* punishing us for our Sins. All *National Punishments* are certainly the *immediate Acts* of the Justice of Providence ; and the *Instruments* made use of to bring them about, are very often wicked Men.

The *Prophane Writers*, the *Atheists*, the *Abusers of the Toleration*, the *Vilifiers of Holy Orders*, of the *Church*, and of *Christianity*. and other wicked Men, may have given great *Provocations* to Almighty God, and if I should say so great as may give just Cause to fear a *Judgment* upon us, that may endanger the Church and Constitution, yet still the *Question* is, what *Hands* are about to execute this *Judgment* upon us ; We charge him as representing the *Church in Danger under Her Majesty's Administration* ; as suggesting, that her *Majesty's Administration*, in Church and State, tends to the *Destruction of the Constitution* ; and consequently, that the *Hands* of those in the *Administration*, are about to execute such *Judgment* ; and he solemnly protests, he apprehends no *Danger but from God*.

My Lords, This is trifling ; for every such *Danger* is from *God*, and in his *Judgment*, whoever they be, whether her *Majesty*, and her *Ministry*, or any others, that *immediately* bring it upon us. This therefore, instead of answering, is evading, and diverting your Lordships *View* from the *Persons* he charges to be working the *Ruin of the Church*, to *God*, the *Supreme Director and Over-ruler* of all the *Actions and Designs of Men*. As if the *Reflection* on the *Queen and Her Administration* were the less for saying, that they are the *Instruments* in the *Hand of God* to scourge the Nation for its Sins, and to execute his *Vengeance* in overthrowing the *Church and Constitution*. So that I am afraid this part of his Solemn Protestation is either *false*, or *evasive*, or *both*.

To

To what I offered to your Lordships on the *March.*
 Clause of *keeping up Distinction of Factions and Parties.*

I desire to add the weight of one *Authority* out of the excellent *Sermon* preach'd by the most Reverend Prelate my Lord Archbishop of *York*, and produc'd by the Doctor. The Words are these. 'They are Factious, they are Setters up and Abettors of Parties, who endeavour to destroy, or unsettle, or disparage, or in the least hurt or weaken the Government and the Laws as they are establish'd; let the Principles on which they go, or the Pretences they make, be what they will.

Whether the Doctor had not endeavour'd in the highest degree to *Disparage the Government*, and consequently to *weaken* it, your Lordships will judge it.

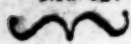
As to the other Clauses *they have offer'd* very little. Only I would take notice, that under the Head of *stirring up to Arms*, something was urged by the Council in relation to what I said upon some Texts of Scripture, but so entirely *mistaking* my Meaning, that I think my self *unconcerned* therein.

As for *perverting Scripture*. The Council would seem to pretend something or other to be the *Mistake of the Printer*, without saying *where* the Mistake is, or *how they* would have it read. I'll tell your Lordships what the Mistake is, it is Printing the second Chapter of *Lamentations* instead of the first, and misplacing the Reference to *Lamentations* and *Zechariah*, which I scorned to take Advantage of, and in what I said, *rectified*. But this served for a *Shew of an Excuse*.

They said something more on this Head; but not to what was *my* Objection; but *promised* the Doctor should *clear all*.

My Lords, I think I might reasonably here put an end to the Trouble I give your Lordships, But that I apprehend *some things* which fell from the Doctor, and which have not fallen in *my* way already, may be proper to be *taken notice* of, so far as concerns what is within *my Province*.

I own his *Speech* was extremely *well Compos'd*, fitted not so much to *inform*, (his Case would not bear that) as to *move* (wherein his Hopes were more justly plac'd;) not so much to *state* the Question and
clear

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I only wish, for the Doctor's Sake, the Composer had preserved a little more Regard as well to what was fit to be said here, where the Truth of the whole Matter is known as to what was fit to be said abroad, and given it a little more Resemblance of the Doctor and his Sermon; that he had not calculated so many parts of it for an Appeal to the People, and to obtain their Acquittal upon his own Word; and I must needs say for my self (though my liking or disliking it is of very little moment) had it had fewer and less solemn Appeals to God Almighty, or more Truth, or I know less of the Matter, I should have lik'd it much better.

He begins with making his Order, the Church, and Christianity to be concerned in the Cause; intending it, I presume, to be understood abroad as a Charge upon his Accusers, that in his Person they Arraign all these. But I shall not pretend to follow him throughout the whole Speech, only point out some Fallacies in it.

My Lords, great Regard is to be had to the Word, much more to a solemn Declaration, much more to the Oath of a Clergyman, when he is free and unbiass'd.

But when he stands in Judgment, when the Rod is over him; when there is only one way open for Escape from the just Punishment due to his Crimes, by protesting his Innocence, neither his Word, nor his Declaration,

ration, nor his Oath is to be regarded. That Method will acquit all that are accus'd; and the less Conscience any such Wretch has, the surer and easier will be his Escape. And therefore your Lordships will judge by what the Doctor has taught the People, what he has publish'd, and not by what he pretends to be his Intentions in doing it.

He makes Complaint of the Generality of his Charge that it was such that he knew not where it would point. My Lords, Suppose we had followed the more common way, and set forth all the Passages we have read, or the whole Sermon and Dedication verbatim, (as we might have done) without pointing out what we objected to, or why; had that left him less in the Dark? It was therefore more for his Advantage that we should tell him the particular Points we would insist upon, than if we had left our selves at Liberty at the Trial to make as many Points as we then pleased.

He lays it down for a Rule, That the higher the Charge is, the more clear ought the Proof to be. My Lords, the Proof here is indisputable, the Sermons and Books are not denied to be his. And these are all that strictly make the Evidence in the Case; the rest is but Argument, and shewing them to be Libellous in the Particulars in the Charge. But take Proof in a larger Sense, so as that it may extend to the Reasoning upon the Evidence, and the making good the Charge, as in this Case, is perhaps not improper. I have no Reason, in respect of his Charge against him, to Contest his Rule, because the Proof of it is clear in that Sense too. But yet, for the sake of Justice, I shall take the Liberty to say, that as apply'd to this Case it is Fallacy.

This sort of Proof arises from the Sense and Doctrine of his Books. And I presume the Doctor cannot hope, that because this is charged to so high a Crime as Defaming and Undermining the Government, any more favourable Meaning is to be put upon his Words than if it were the less Crime of Defaming a private Person; or that your Lordships should not understand in this Case, that which every Body else that hears it understands, and which your Lordships would have understood, if it had not indanger'd the Government.

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I own I cannot comprehend why your Lordships should be more Shy of Defending the Government, than a *private Reputation*; or most afraid of Concurring that which is of infinitely the most dangerous Consequence, if it escape *uncensur'd*. On the contrary, in the Case of those things which tend to the *Overthrow* of the *Constitution*, where the Rules and Methods of *inferiour Courts* cannot apply a proper Remedy, your Lordships upon the Impeachment of the Commons may. Let the *Contrivance* lie never so deep, be never so artfully wrought, when it strikes at our *All*, it would be absurd to say, the Commons may not bring it to the Bar of Justice, and your Lordships prevent its dreadful Effects, and give it the Punishment it deserves. My Lords, Without that Power your *Constitution* were weak and precarious.

The Doctor observes in what manner the Charge against him is supported, not by *express Sentences* of his, but by *Inferences*, and joining *Independent Sentences*, (as to that part I have considered it already;) and he seems to expect, that if he were Guilty of Suggesting and maintaining the Thing charg'd upon him, the *Passages* might as easily be pointed to in his *Sermon*, as the *Doctrine* in those he produced, and that bare reading, without a Comment, would convict him. No, my Lords——Even Dr. Sacheverell is not yet arrived at that Pitch, as to Arraign the Government as directly and openly, as to preach a general *Doctrine*.

This *Fallacy* seems very gross, For is it reasonable to think, that a Man that intends to unhinge the Government, to expose an *Administration*, to fire the People, to raise *Sedition*, should speak directly and plainly? No——he is to cover his Design even from those he is to draw in, he is to pretend Zeal for Religion, *insinuate* himself by degrees, not shock his Hearers at first with a Declaration against a *Queen* they are fond of; he must pretend Zeal for her Majesty, to preserve their good Opinion of *himself*, while he is doing that which by degrees will alienate *their* Affections from *Her*. This he must do, tho' there were none to punish, and to prevent the Dashing his own Hopes of Success. But when he knows that the Power of the *Administration* he is to Revile and

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Rail at, is over him, and at hand; that is a farther Reason for Caution: Therefore in such *Discourses*, dark *Phrases* are to be studied, confus'd *Descriptions* will be frequent, with a perpetual *Perplexity of Expressions*, between saying what his *Rancour* will not let him with-hold, and with-holding what his *Fear* will not let him speak out. *Schemes of Speech* are to be contriv'd, that have two Meanings; the one more obvious and plain, to have its full Effect upon the People; and the other (that will occur to no Body else) a *Reserve*. to be offer'd to a *Court of Justice*. This is naturally to be expected in *Seditious Discourses*. But if your Lordships will pass this by, which has spoke infinitely more plainly and audaciously than any other (I believe) that ever so publicly dared Authority, your Lordships may expect to see a new *Discourse* from the Doctor, where *Sedition*, that had but a very thin *Disguise* in this, shall there have none at all. And this may serve for an Answer to what is urg'd from his *Zealous Expressions for the Queen*; for if the whole *Discourse* have quite another *Tendency*, it is plain that those are only Parts of the *Blind and Disguise*.

He complains, That he is *Accused for what he has omitted*, as if done with Design, and his *Silence is made Criminal*. My Lords, I was the Person that took Notice of his *Omissions*, but I did not make them a part of his *Charge*.

Indeed, when he in his *Answer* protested (as now he does more solemnly) his *Loyalty*, I took that Profession into Consideration, as a part of his Defence, which I ought to take Notice of.

I had learnt that the best way to try the Truth or Falsity of *Pretenders to Virtue or Religion*, was by their *Fruits*. Accordingly I considered his *Management of his Text* in his Sermon, how agreeable it was to such *Profession*, and to see what *Fruits of Loyalty* I could find there. And your Lordships will now apply those Observations to his solemn Appeal to God before your Lordships, that his *Intentions in that Sermon* were to exert his BEST ENDEAVOUR for the Security of her Majesty.

I shew'd your Lordships, that he omitted the only true Notion of False Brotherhood in State, which

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took in the *Nonjurors* and *Disaffected*, tho' his Text led to it; that he had omitted to make the proper Use of the *Doctrine of Passive Obedience*, which was to press Obedience and Submission TO HER MAJESTY, tho' the *Day* and the *Doctrine* seem'd both to require it. That he had set up another *Notion* of False Brotherhood, which I shew'd to be, upon his own Principles, wrong. By these I try'd his Pretences, and shew'd, that if they were sincere, this Behaviour was *unaccountable*; but if he were at Heart for the Pretender, I made it manifest that all his Procedure was just, nay, that even his *Notion* of False Brotherhood, was right to him that was of that Mind, and that his Application of the first of *Lamentations* was exact and fine upon that Supposition, which is never to be justified or excus'd on any other. This I then press'd no farther, than to shew that his Sermon had in it no Fruits of that Loyalty which he pretended.

But I may make a further Use of it now, as a plain Contradiction to his solemn Declaration.

For has he pretended to give any Answer to this? Was I wrong in my *Notion* of False Brotherhood, or was he right in his? He has made that Use of *Passive Obedience*, as to press Submission to the Queen from it? Has he not let the *Non-Jurors* escape; tho' his Text led him to speak against them, and advanc'd a wrong *Notion* of False Brotherhood merely to fall foul upon those that justify the Resistance in the Revolution, and cut off thereby every Colour of Title to the Pretender? Or does he offer to reconcile that Proceeding with his Pretence? No-----And then, tho' bare Omission were not a Fault, yet I may now ask, is that Omission consistent with his Protestation of an Intention to exert his best Endeavour for Security of the Queen? Did he exert, or intend to exert his best Endeavours, that omitted things so very obvious? Nay, where does he shew that he has exerted any such Endeavour at all? On the contrary, he has fall'n into the Methods us'd, by those that are against her Majesty, to undermine and weaken her Title, and to disparage her Government, and to render it odious to the People.

He Complains that where he presses Obedience to the Queen, we say he means the Pretender. My Lords,
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It was one of the *Omissions* that I urg'd against him in the manner I have just mentioned, that he *no where professes Obedience to the Queen*. Does he think it had not become him to shew *where* he did press it, if he could? Or what Name does he think is to be given to his *taking it for granted*, that he had done *that*, which it was expressly charged he had not done, and which he *cannot shew he has*?

He seems to complain of *some Expressions* that have been us'd against him by the *Managers*, as not becoming *this Place*, or *his Order*. My Lords, I hope we shall always demean ourselves with just *Respect* towards your *Lordships*. And as to him, he is to consider, that there is a wide Difference between what a *private Man* says of *others*, much more of his *Governours*, in *Conversation*, or in *popular Assemblies*, and what is spoke of an *accus'd Person* at his *Trial*. In the former Case, it is not *fit* to speak *ill* of them, that which is *true*; in the other, the *Crime* is to be *represented as it is*, and the *Person* is to have *no Respect* paid him that shall any way tend to *prevent* shewing the *full Enormity* of the *Crime* in all its *true Colours*; and if any thing has been said, which otherwise his *Orders* would have secur'd him from; let him remember that his *Crime* deprives him at *this time* of that *Protection*, where 'tis one *Aggravation*, that he has *abus'd* his *Holy Function*; which it was the *Business* of the *Managers*, both to *say* and to *make out*.

He Complains that there is 'no Allowance made to a Minister rebuking Vice and Irreligion with Zeal, *when* he happens thereby to be carried into an Expression not well guarded. My Lords, His Zeal apparently is levell'd more at *Persons* than *Crimes*, he mentions not *false Doctrines* to confute them, nor the *Faults* of those *that hear him*, that they may *amend* them; but rails at *Persons absent* to *expose* them, and raise the *Passions* of his *Auditory* against *them*; his Zeal leads to *hunt out* *Faults*, for an *Occasion* of *Complaint*; to *magnifie* whatever is *amiss*, and charge *all* home upon the *Government*, departing from the Office of an *Ambassador of the Prince of Peace*, and preaching *Sedition* and *Rebellion*. And in such Case, his *Orders* are so far from being an *Excuse*

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that they are an *Aggravation*; when he who ought to preach *Peace, Long-Suffering, Gentleness and Submission*, foments *Divisions*, creates *Jealousies*, heightens *Animosities*, and disturbs the *Government*. But where there is a Sermon truly tending to promote *Religion and Virtue*, God forbid that any *incautious Expressions* in it, tho' justly *exceptionable*, should be laid hold on as an *Occasion to punish the Preacher*; it has not been done, nor, I think, ought to be.

Yet when a Minister presumes to go out of his *Way*, and to meddle with the *Government*, he ought to be more than ordinary wary in his Expressions, since his *Character* gives his *Reflections* greater weight and force with the People, and his *Errors* will therefore do the greatest *Mischief*. And this Man that *Professes to Preach Politicks*, and laughs at those that tell him 'tis his *Duty to preach Peace*, and is *inflaming* the People against their *Sovereign*, must not think himself intitled to that *Favour*.

I own I am very well pleased to hear the Doctor's Declaration in Favour of the *Succession in the House of Hanover*, and his earnest Prayer for *perpetuating it*. Because, whenever our Sins shall be the *Occasion of our losing the best of our Queens*, the *Security of our Religion and Liberties* for our *Posterity* depends upon it. But I a little wonder that he *appeals to God* that in this Sermon he had *sincere Intentions to exert his best Endeavours for the Security of the Queen, and the Protestant Succession*. I hope he is hearty for both, but sure his *best Endeavours* for them are not exerted in this Sermon.

As for the *Queen* I have spoke already. As for the *Succession*, I own my self intirely at a Loss, in what part of the Sermon it is, that he has exerted any Endeavour at all for the *Security of the Protestant Succession*; I do not find any thing that I apprehend can concern it, except that Place where he *ridicules* the Notion of any Right to the Crown but an *Hereditary Right*.

The Council having in great measure declin'd that Head about *Wresting and perverting divers Texts and Passages of Holy Scripture*, and seeming to Promise that the Doctor should give *Satisfaction* therein, I was in great Expectation of his *Performance* there, but

but am miserably disappointed; and cannot but be in some Confusion for *the Doctor*; tho' he seems to have intire Satisfaction in himself. His Conduct upon this Clause from first to last amazes me.

His Answer put in before your Lordships to the Charge of the Commons is *throughout* evasive and reflecting; but in *the part* of it there is a Master-piece of Equivocation and Malice, to avoid either confessing or denying the Charge, and to cast an Odium on the Commons, as Persecutors of the Clergy. The Words are these. 'Hard is the Lot of the Ministers of the Gospel, if when they cite the Word of God in their general Exhortations to Piety and Vertue &c. These are the Words of his Answer; and give me Leave to ask, Do they deny, or do they confess the Charge? Neither---But are an Appeal to the Passions of the People; amongst whom it has been so industriously and irregularly dispers'd. Yet I dare say every unwary Reader took the Doctor to have deny'd this Charge and felt some Indignation against the Commons for making it.

My Lords, he is now come upon his Trial, he has been charg'd *home* upon this Head. And permit me to say, there cannot be a heavier Charge upon a Minister of the Gospel, nor more affecting to any that has not abandon'd all Pretence to Common Honesty. Give me leave to mention some of those solemn Words wherein a Priest receives his Orders. 'Receive the Holy Ghost, for the Office and Work of a Priest in the Church of God; and be thou a faithful Dispenser of the Word of God, and of his Sacraments, in the Name of the Father, of the Son, and the Holy Ghost.

This Crime therefore, when committed by a Priest, is betraying that sacred Trust reposed in him with his holy Orders; 'tis foregoing the Authority of God, 'tis assuming a Superiority over the Inspired Writers, if not over Him that inspired them. The Doctor therefore that is sensible (as he says) of the Load of Guilt and Infamy the Charge of the Commons lays upon him, and whereof *this* is surely the heaviest Part; What does he say to this? He says, if he be guilty he is to answer it at another Tribunal, where he is to be judged by those Scriptures.

Marrb.

My Lords, So he is to answer at the great Tribunal for every Branch of this present Charge. But is *this* all? Is he negligent of his Reputation in no other Instance but *this*, that is the tenderest and most affecting? Or will he thus give himself up for a Falsifier of the Word of God, and yet have the Confidence to hope for any Reputation, or any Capacity of doing good in preaching it. Is it *thus* the Dignity of the Sacred Order is to be supported? Is *this* the Cause of the Church, and of Christianity? And are they wound up in the Fate of an Impostor and false Prophet? Pardon the Warmth of the Expression; his not saying a Word to the Charge owns all *this*.

My Lords, it is true (as the Doctor has said) the Sacred Order, the Church and Christianity are concerned in this Cause; but 'tis, that they may be cleared from the Reproach brought upon them by *this* unhappy Man. But if he be self-condemned, if he dare not open his Mouth on this Subject, how dare he declare his Hopes, that those of your Lordships, whose Studies more particularly lead that way, should acquit him? My Lords, He has made an Appearance before your Lordships in a manner very extraordinary, not only as in a Defence of a Prosecution, but as in a most solemn Act of Devotion, before the most August Judicature on Earth, appealing to a yet greater in Heaven. But with what Sincerity! what Candor, or what Sense of that which he has done!

I am amazed, that a Person in Holy Orders, in his distinguishing *Habit* before this awful Assembly, should dare to take the tremendous Name of God into his Lips, and appeal to him for the Sincerity and Integrity of his Heart, at *that* very time when he stands charg'd with *this* black Crime, and is neither able to repell it, nor has the Sincerity and Honesty to repent.

But while he can thus, with such Assurance as your Lordship's have seen, and now see, face out such a Crime, and be equivocating and playing double with your Lordships, with God Almighty, and his own Conscience; what Regard is to be had to his most Solemn Protestation? His manifest Insincerity in this plain Point, leaves him no Credit in any thing; and his having taken the Abjuration Oath, gives me not the

the least Difficulty, after what I have observ'd of his more solemn Oath before your Lordships.

My Lords, The just Veneration we owe to the Divine Majesty (for the Doctor's Behaviour has made that now the Case) the Honour of Christianity, the Church and its Holy Orders, the Security of the present Establishment and the Protestant Succession, the Safety of Her Majesty's Person, the Quiet of Her Government, the Duty we owe to Her as our Sovereign, the Gratitude for Her most gracious Administration, the Honour of our Prelates, the Obligations we are under to prevent Seditions and Tumults, to undeceive the People, to quiet the Minds of the Protestant Dissenters, and convince them that the Toleration allow'd them by Law is not to be taken away from them, to secure at present, and transmit to Posterity (as far as in us lies) our Religion and Liberties, and vindicate the Revolution (which is the Foundation on which they stand) and the Glory our late Royal Deliverer, to whom under God we ow'd it; and to banish Sedition from the Pulpit, which is, and ever ought to be sacred to Divine Purposes, REQUIRE the Commons to demand your Lordships Judgment on this Offender.

But, my Lords, he observes so far rightly, that his Punishment is not all we aim at. No, my Lords, ----- What we expect from your Lordships Justice, is, the Supporting our Establishment, the preventing all Attempts to sap its Foundation, and answering those other great Purposes I have mentioned; and I hope the Clergy will be instructed, not to preach the Doctrine of Submission in such manner as to prepare the way to Rebellion, but to follow the Advice and Example of my Lord Archbishop of York, rather than tread in the Steps of Doctor Sacheverell. And we doubt not, but that those to whom our Proceedings have been so industriously misrepresented, will see and own the Favour shewn to this Man, in the manner of the Charge; and our Care for the Honour of the Church and Clergy, in singling out for an Example for these impious Attempts against his Country, him that now plainly appears the Shame of his Own Order.

March.

Earl of
Notting-
ham starts
an unex-
pected Que-
stion. 10.

Lords con-
sult of
Judges O-
pinion.

Sir Thomas Parker having ended his Speech; the Earl of Nottingham said, he had something to propose to their Lordships, *viz.* whether he might put a Question to the Judges thereupon, upon which the E. of Sunderland, moved that the Lords would adjourn to their own House, which being done accordingly; my Lord Nottingham there started an unexpected Question, *viz.* "Whether Prosecutions by Impeachments for high Crimes and Misdemeanors, by writing or speaking the particular Words supposed to be Criminal, are necessary to be expressly specified in such Impeachments. During this Adjournment, the Lords, on Debate agreed, That the Question should be proposed in *Westminster Hall*. Which was done thus by the Earl of Nottingham, my Lords, The Question I humbly propose to your Lordships, that my noble Lord on the Wool-sack may propose to the Reverend Judges, is, Whether by the Law of England, and constant Practice in all Prosecutions, by *Indictment or Information* for Crimes and Misdemeanours by Writing or Speaking, the particular Words, supposed to be Criminal, must not be expressly specify'd in such *Indictment or Information*. Then the Lords were moved to adjourn, and accordingly adjourned to the House of Lords; and being returned, and seated, as before, the Lord Chancellor said, I take it, the Question that your Lordships are of Opinion to ask the Judges for them to give an Answer to, is, Whether by the Law of England, and constant Practice in all Prosecutions, by *Indictment or Information* for Crimes and Misdemeanours by Writing or Speaking, the particular Words, supposed to be Criminal, must not be expressly specified in such *Indictment or Information*?"

To this Question the Judges, beginning with the youngest Baron of the Exchequer, very readily deliver'd their unanimous Opinion, that according to Law, the Grounds of an *Indictment or Impeachment* ought to be expressly mention'd in both. Those who were for Punishing Dr. Sacheverell were not a little surprized at this unforeseen Difficulty, which was of no less Consequence than to baffle and annul the whole Prosecution, and to make it necessary for the Commons

Commons to begin a new; which they could not expect to have time to do. But it being suggested, that the Judges had deliver'd their Opinion according to the *Rules of Westminster-Hall*, not according to the *Usage of Parliaments*, the Lords, on the 11th, resumed the Debate upon the Question started by the Earl of Nottingham, (the Queen being present) and at last resolved; *That in Impeachments they were to proceed according to the Laws of the Land, and the Law and Usage of Parliaments*, and appointed a Committee to search the Journals of their House for Precedents, which they did accordingly on Monday the 13th. The next Day they proceeded in the same Affair, and found a Parallell Instance of Dr. Sacheverell's Impeachment, which was that of Dr. Manwaring in King Charles the First's Reign, wherein the Words for which he was impeach'd were not expressly mentioned in the Articles; of which Instance they made their Report to the House: And a Debate arising, whether a Question should be stated, it was propos'd to adjourn the House. Then the Question was put whether the House should be adjourned, which was resolved in the Negative.

Debates
in the
House of
Lords
thereupon.
11.

14.

Dissentient.

R. Ferrers,	Wemyss,	W. Cestriens,
Abindon,	Scarborough,	Suffolk,
Beaufort,	Nottingham,	Haverham,
Denbigh,	Rochester,	Northesk,
Jo. Ebor,	North & Grey,	Ashburnham,
Berkshire,	N Duresme,	Ormonds,
Weymouth,	Scarsdale,	Conway,
Leigh,	Weston,	Stawell,
Sussex,	Leeds,	Mar,
Lexington,	Chandos,	Howard,
Hamilton,	Osborne,	Guilford,
Fersey,	Lempster,	Plimouth,
Craven,	Geo. Bath & Well,	Anglesey,
Buckingham,	Northampton,	H. London,
Poulet,	Berkley Ser.	Thanet,
Dartmouth,	Willoughby Br.	Tho. Roffen.
Gernsey,		

Then

March. 1

Then after further Debate, the Question was put
That by the Law and Usage of Parliaments in Prosecutions by Impeachments for High Crimes and Misdemeanours, by writing or speaking, the particular Words, supposed to be Criminal, are not necessary to be expressly specified in such Impeachments.

It was resolved in the Affirmative.

Dissentient,

Buckingham,

Jo. Ebor,

H. London,

Hamilton.

Berkley Str.

Northesk,

Dartmouth,

Mar,

Haversham,

Tho. Roffen,

Geo. Barb & Wells.

I. Because we conceive the Law of the Land is as much the Rule of Judicature, as it is in inferiour Courts of Justice; and since by the Opinion of all the Judges, in all Prosecutions by Information or Indictment, for Writing or Speaking, the particular Words suppos'd to be Criminal must be expressly specify'd in such Information or Indictment; and that this is the Law of the Land confirm'd by constant Practice, we conceive, that there is the same Reason and Justice for specifying in Impeachments, the particular Words suppos'd to be Criminal, for otherwise a Person who is Innocent, and Safe by the Law out of Parliament, may nevertheless be condemn'd in Parliament.

For we conceive, That some Reasons of Law and Justice, why the Words suppos'd Criminal must be specify'd in Informations and Indictments may be, that the Party accus'd may certainly know his Charge, and be thereby enabled to defend his Innocence; that the Jury may know it too, and be enabled thereby the better to apply the Evidence given by the Witneses, to the Matter of such Charge; and that the Judges themselves may the better judge of the Nature of the Crime, and of a Punishment *Adequate* to it, which in Cases of Misdemeanours, which are Indefinite and Innumerable, must extreamly vary, according to the Heinousness of the Offence: And finally, That the House of Lords, upon Complaint to them, may also judge, whether

whether the Fine, which is usually one of the Punishments for Misdemeanours, do not exceed the Demerit; especially since by the Bill of Rights, exorbitant Fines are declared to be Illegal; which Reasons seem to be fully as strong in the Case of Impeachments, as in Indictments and Informations; for the particular Words are as necessary to enable the Lords to determine uprightly and impartially, as the Jury or Judges, and as necessary for the Defence of the accus'd here, as in the Courts below; and if there were to be a Difference, it seems more necessary in this High Court, for the weightier the Prosecution is, the more need has an unfortunate Man of Indulgence, and all lawful Favour; and surely there cannot be an heavier Load upon Man, than an Accusation by all the Commons of Britain.

We do not remember any Precedent insisted on for the maintenance of this Resolution, save only the Case of Dr. *Manwaring*, which we conceive could not warrant this Resolution: For First, the Words charg'd upon him by the Commons Declaration, were not compar'd with the *Sermons*, tho' it was desir'd; and consequently no Lord could say, they were not the Words of the *Sermons*; and therefore, upon such uncertainty, we conceive we could not ground a Positive Resolution.

II. The Charge upon him taken out of his *Sermon*, on the 4th of May, 1628. seems to be the very Words by him spoken; for they were attested by Ear-Witnesses, who surely never were, or could be admitted to attest their own Conjectures of the Scope of a *Sermon*, and not specify the very Words, for that would be to make the Witnesses to be the Judges.

Besides in such a Case as this, where the Party did not insist upon any legal and just Exceptions, of which he might have taken Advantage; if he had made his Defence, which he did not, but submitted and begg'd Pardon, this ought not to be look'd upon as a Precedent for Authority, to justify the Illegality of the Form of that Impeachment.

III. But altho' this Precedent were full and express to the Point Resolv'd; We humbly conceive that

March. that one Precedent is not sufficient to support a Law and Custom of Parliament, and consequently a Resolution declaring it; for surely there is great difference between a single Instance, and a Law and Custom.

Since we conceive that in all the Precedents, at least all that have appear'd to us for Four Hundred Years, of the Prosecutions in Parliament, the particular Words charg'd as Criminal, have been constantly express'd in the Articles, or Declarations of Impeachment.

E. 2. *Exilium Hugonis Despencer Patris & Filii*; the first Article was for making a Bill in Writing, the Tenor whereof was particularly set forth.

28. H. 6. *William de la Pool* 6. *Arm.* was for Words spoken by him in the Council in the Star-Chamber, (*viz.*) That he said he had a Place in the Council-House of the French King, as he had here, and could remove from the French King the priviest Man of his Council, if he would.

1640. *Lord Finch.*

Art. 4. 5. The Opinions he deliver'd, are set forth in *Hæc Verba*, as also the times when he deliver'd them.

7. Another Opinion deliver'd by him in the Exchequer Chamber, and Western Circuit, is set down in his Express Words.

1640. *Dr. Cosens.*

Art. 11. He is Charg'd with Words deliver'd in a *Sermon* at *Durham* the Words were these, the Reformers, &c.

Art. 19. Charges him with Words in like manner, the Words were these, the King, &c.

1641. *Berkley.*

Art. 1. 4. The Words charg'd upon him, are Expressly mention'd,

5. 6. That he Subscrib'd an Opinion in *hæc Verba* which are specified.

6. The matter therein charg'd, tho' of Record was Copied and delivered with the Articles.

7. 8. The Words spoken and the Place Expressly set forth.

1641. *Judge Crawley.*

Art. 1. 2. For Subscribing and giving Opinions set forth in

37. *hæc Verba,*

1641,

Herbert.

Herbert.

For Exhibiting of Articles against the Five Members, which Articles follow in these Words, &c.

Thirteen Bishops Impeach'd for making and Promulging in 1640 several Constitutions and Canons, contrary to the King's Prerogative, &c. 1641.

They demurr'd because the Charge was General, but Receded from this Demurr, because it appeared to be particular.

*E. Strafford.*1641.
Art. 2.

Expresses the Words spoken by him, and the Time.

20, 21, 22, 23, 24, 25, 27. Expresses the very Words spoke by him, 26. is in like manner, with an Inuendo of his meaning. 4.

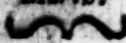
*Arch Bishop Laud.*1642.
Art. 1. 4.

10. Expresses the Words spoken by Him.

12. Expresses the Words spoken by Him, and the Time and Place.

So necessary did the long Parliament it self think it, to persue the Forms of Law in all their Prosecutions.

Upon the whole therefore, we humbly conceive that so great a Number of Precedents, is sufficient to ourweigh, the single Instance of Dr. *Manwaring's* Case, how opposite soever it may seem to be to the present Case, which for the Reasons we have mention'd, is far from being Plain and Clear, or having the full Authority of a Precedent, and the Law and Custom of Parliaments, as we conceive is to be determin'd by constant Course and Practice, and not one Precedent occasion'd by so Odious Doctrines, as those of Dr. *Manwaring*, nor can the Contrary Assertion to the abovesaid Resolution, be of any ill Consequence to Impeachments by the Commons because 'tis easie for them to Specifie the Words, which offend them; but extremely Difficult for the accus'd to defend himself; without knowing them, and as all who are Charg'd Criminally have leave to make their Defence, so they should also have allow'd to them all Lawful means for it.

March.	To. Ebor.	Scarborough,	Northampton,
	N. Duresme,	W. Cestrions,	Fersey,
	Suffex,	Seawell,	North and Grey,
	Scarsdale,	Conway,	Willoughby Br.
	Plimouth,	Guildford,	Craven,
	R. Ferrers,	Lempster,	Osborne,
	Beaufort,	H. London,	Howard,
	Denbigh,	Leeds,	Gernsey,
	Yarmouth,	Thanet,	Noettingham,
	Rocheſter,	Angleſey,	Berkſhire.
	Weymouth,	Abingdon,	

A great Debate in the House of Lords about the 1st Article. Two Days after, the Queen went *incognito* to the House of Lords, where it being mov'd to declare, That the Commons had made good the First Article against Dr. Sacheverell, a warm Debate arose thereupon; and among the rest, Dr. Gilbert Burnet, Bishop of Salisbury, made the following Speech.

16.

The Bishop
of Sarum's
Speech.

THE Council for the Prisoner did so plainly and fully yield all that any Loyal Subject has ever pretended to, that in Cases of extream Necessity, Self-defence and Resistance were Lawful, and that this was the Case at the Revolution; that it may not be necessary to say any thing further on this Head. if it had not been that the Evidence they brought seem'd to carry this Matter much further, and that the Prisoner himself allow'd of no Exception, in Cases of Necessity. And since it is grown to be a vulgar Opinion, That by the Doctrine of the Church of England, all Resistance in any Case whatsoever, without Exception, is condemn'd; I think it is incumbent on me, who have examin'd this Matter long and carefully, to give you such a clear Account of this Point, as may as fully satisfy you as it did my self.

I served in the Revolution, and promoted it all I could. I served as Chaplain to the late King: I had no Command, and carried no Arms, but I was so far engag'd in it, that if I could see that I had gone out of the Way in that (and the many Ups and Downs we have gone thro' since, has given much Occasion to reflect on that Transaction) I should hold my self unworthy to appear longer, either

ther in this Habit, or in this great Assembly : But should think my self bound to pass away the rest of my Life in Retirement or Sorrow. There is nothing more certain in Religion, than that we ought to repent of every Sin we have committed ; and that we cannot truly repent, unless we repair and restore as far as it is in our Power.

I go now to give you the Account of the Doctrine of our Church in this Particular. In the Times of Popery it was a Tenet, built upon Bishops setting the Crown on the Heads of Princes, and anointing them, that they held their Crowns of the Church, and at the Pope's Mercy ; who had for about 500 Years got into the Claim of deposing them, and giving their Dominions to others, in case they were Hereticks, or the Favourers of them. But the Reformation being in its first beginning protected by the Princes of *Germany*, by the Kings of the *North*, and then by the Kings of *England* ; they came every where in Opposition to the Papal Notions, to say that Kings had their Power from God : Not that they meant, that they had any distinct Authority besides the Law of the Land deriv'd to them from God ; but by that the Laws of God, the Authority of the Law of the Land was secured to them. For when a different Authority from that of the Law came to be pretended to, and to be grounded on these general Expressions, that receiv'd here a Parliamentary Censure, and it was then declared that the Laws of Religion in the Scripture did only establish the several Constitutions and Governments that were in the different Parts of the World.

The Occasion that the Apostles had to write what we find in their Epistles, with relation to the Government, was this ; The *Jews* had a Notion among them, from a Passage in *Deuteronomy*, that they were only to set a King over them, *One from among their Brethren, and not a Stranger*. From whence it is, that to this Day they do not think they are bound in Conscience to obey any Magistrate, who is not one of their Nation. Now the first Converts to Christianity being *Jews*, the Apo-

stles

March.

‘ stles took care that they should not bring this dangerous Notion with them into the Christian Religion: But they did not meddle to determine where this Authority was lodg’d, that was to be gather’d out of the several Constitutions: They did not determine how much was due to the Emperor, and how much was due to the Senate: And tho’ not long after those Epistles were writ, the Senate condemn’d Nero to die *More Majorum*, to be whipt to Death, none of the Christians interposed in that Matter. He prevented that infamous Death by his own Hands: And the Primitive Christians reckon’d it one of the Articles of the Glory of their Religion, that their first Persecutor came to such an End.

‘ Not long after that, *Trajan* was fam’d for that memorable Expression, when he deliver’d the Sword to the Governours of the Provinces, as the Emblem of their Authority, he us’d these Words, *Pro me, si m rear in me*; For me, but if I deserve it, against me. That did not weaken his Authority: His good Government, with that of his Successors for above 80 Years, being the greatest and happiest time the *Romans* had under their Emperors. This Word was put on King *James* the First’s Coin in *Scotland*: It is true, that was during his Minority; but when he afterwards chang’d his Motto, the Coin was not call’d in, but continu’d current till the Union.

‘ The Primitive Christians had no Laws in their Favour, but many against them: So their patient suffering so many Persecutions, according to the Laws of the Empire under which they liv’d, was conform to the Doctrine laid down by the Apostles. When they came afterwards to have the Protection of Laws, they claim’d the Benefit of them, not without great Violence, when they thought an Infraction was made on those Laws: Which broke out into great Tumults, in many of the chief Cities of the Empire, not excepting the Imperial City it self.

‘ But to proceed with the History of our Church: When the Articles of Religion were settled, the Books of the *Apocrypha* were indeed declar’d not
to

to be a part of the Canon of the Scriptures, how
 to be useful for *Example of Life*, and the *Instruction*
 of *Manners*. A great part of these are the Books of
 the *Maccabees*, which contain the History of the
 Jews shaking off the Yoke of the Kings of Syria,
 when they were broke in upon by a total Over-
 throw of their whole Law, and an unrelenting Per-
 secution. *Mattathias*, a private Priest, began the
 Resistance, which was carry'd on by his Children,
 till they shook off the Syrian Yoke, and form'd
 themselves into a Free Government, under the Fa-
 mily of the *Maccabees*. It were easie to shew that
 the Jews had been for above 400 Years subject,
 first to the *Babylonian*, then to the *Persian*, and at
 last to the *Grecian* Empire: So that by a long Pre-
 scription they were Subjects to the Kings of Syria.
 It were easie also to shew that this Resistance was
 foretold by *Daniel*, in Terms of high Commen-
 dation, and is also mention'd in the Epistle to the
 Hebrews, as the Work and Effect of their Faith.
 If then all Resistance to illegal and barbarous Per-
 secution is unlawful, these Books contain nothing
 but a History of a Rebellion; and all the Devoti-
 on that runs through them is but a Cant; and in-
 stead of reading them as *Examples of Life*, and *In-*
 structions of *Manners*, we ought to tear them out of
 our Bibles with Detestation. I shall afterwards
 shew what Use was made of these Books, not on-
 ly by private Writers of our Church, but by what
 the whole Body in Convocation was about to de-
 termine.

The next Step to be made is, to consider the
 Homilies: The Second Book of Homilies, which
 has the Homilies in it against *Wicked Rebellion*, is
 generally believ'd to have been compos'd by Bi-
 shop *Jewell*, who was by much the best Writer in
 that time. It is certain he understood the mean-
 ing of them well: Now I will read you two Pas-
 sages out of his Defence of his Apology for the
 Church of *England*, from whence we may clearly
 gather what his Notion of Rebellion was, and that
 he thought a Defence against unjust and illegal Vi-
 olence was not Rebellion. In one place he has
 these Words:

March

The Nobles of Scotland neither drew the Sword, nor attempted War against the Prince: They sought only the Continuance of God's undoubted Truths, and the Defence of their own Lives against your barbarous and cruel Invasion: They remember'd, besides all other Warnings, your late Dealings at Vassy, where great Numbers of their Brethren were murder'd, being together at their Prayers in the Church, holding up their innocent Hands to Heaven, and calling upon God. In another Place he writes, Neither do any of all these (Luther, Melanchton) teach the People to rebel against their Prince: But only to defend themselves by all lawful Means against Oppressions, as did David against Saul, so do the Nobles in France at this Day, they seek not to kill, but to save their own Lives.

These Passages shew that he looked on Rebellion to be a violent Rising against a Prince executing the Laws, which was the Case of the Three Rebellions in England that they had in view: That in King Henry the VIII's, in King Edward's, and in Queen Elizabeth's Time, where the Papists took Arms against their Prince, who was executing Laws made in Matters of Religion, and that with a great Gentleness. Of the Eleven Passages quoted by the Prisoner out of the Homilies, Five plainly relate only to the Coercing the Person of the Prince, in which David is set in Opposition to those Rebels now, tho' he indeed defended himself, yet he had a just and sacred Tenderness to the Person of Saul; when he had him in his Power, which is certainly Sacred by our Constitution. Five of them relate to wicked Princes. It was never pretended by any who pleaded for necessary Defence, that the bad Life of a Prince can be a just Cause of Resistance: Yet that was then pretended; for King Henry VIII. had given too much occasion to reckon him a wicked Prince. So there is only one of all the Passages quoted from those Homilies, that relates simply to Rebellion in general: And it has appeared what Bishop Jewell's Sense of the Matter was. There is also a Prayer at the end of every Division of the Homily against Wilful Rebellion, (and, by the By, Wilful was not put in the Title for nothing) for those oppressed by

by Tyranny in other Parts, that they might be relieved, and that those who were in fear of their Cruelty might be comforted.

Let us next look through Queen Elizabeth's Long and glorious Reign, and see what was the constant Maxim of that Time.

The Year after the Queen came to the Crown, the War in Scotland broke out between the Queen Regent that governed by Commission, from her Daughter then Queen of France, and the Lords in Scotland. She to obtain the Matrimonial Crown to be sent to Francis the II^d. gave Assurances for the Exercise of the Reformed Religion; but that Point being gained, she broke all her Promises, and resolved to force them to return to the Exercises of the Popish Religion: Upon which the Lords of Scotland formed themselves into a Body, and were called the Lords of the Congregation. Forces were sent from France to assist the Queen Regent; upon that Queen Elizabeth entred into an Agreement with the Scottish Lords, and sent an Army to their Assistance, which continued in Scotland till all Matters were settled by the Pacification of Leith: And in a Manifesto, that I have in my Hands set forth 25 Years after that, I find her reflecting on that Interposition in the Affairs of that Nation with great Satisfaction.

The Year after this War was ended, upon Francis the II's Death, Charles the IXth, who was a Child, succeeded in France. Edicts were granted in favour of the Protestants: These were soon after broken by the Triumvirate, and upon that followed a Series of Wars often pacified, but always breaking out again, by reason of the Violence and Cruelty of the Government. All these Wars, till Henry the IVth was settled on the Throne, were in a Course of 28 Years, that which some would call Rebellion, being carried on against Two succeeding Kings. Yet the Queen was in all that Time still assisting them with Men and Money.

In the Year 1568, the Provinces in the Netherlands threw off the Spanish Yoke, that was become intolerably severe and cruel. The Queen for some Years assisted them more covertly, but when the

Prince of Orange was kill'd, and they were in danger to be over run, she took them more openly into her Protection; and by the *Manifesto* which I have in my Hands, She published the Grounds upon which she proceeded. She laid down this for a Foundation, that there had been an ancient League not only between the Crown of *England*, and the Princes of the *Netherlands*, but between the Subjects of both Countries, under their Seals interchangeably, for all Friendly Offices. If this was a good Reason for the Queen's giving Aid to the oppressed People of the *Netherlands*, then if the Case had been reversed, that the People of *England* had been illegally and cruelly oppressed, it furnished the Princes of those Provinces with as good a Reason for assisting them. In this Assistance given the States, the Queen persisted till the end of her Reign; nor was this only done by the Court, but both Parliaments and Convocations granted her several Aids to maintain these Wars: And in the Preambles of those Subsidy Acts, the Queen's Proceedings in those Particulars were highly approved and magnified. *Bilson* Bishop of *Winchester*, and several other Writers in that Time, justified what she did; and not one, that I ever heard of, censured or condemned it.

Upon King *James's* coming to the Crown, the first great Negotiation was for a Peace between *Spain* and the *United Provinces*; which lasted several Years. The States insisted on a Preliminary, that they should be acknowledged Free, Sovereign, and Independent States; the *Spaniards* would not yield to this, nor would the States recede from it. Some here in *England* began to say, they were formed in Rebellion, and ought not to carry their Pretensions too far: Upon that King *James* suffered a Convocation to meet; and a Book of Canons, with relation to the Supreme Authority, was prepared; in which, though the Authority of the Prince, even when he becomes a Tyrant, is carried very far; yet the Case of the *Maccabees* is Stated; and it was determined, that when a new Government, tho' begun in the Revolt, is come to a thorough Settlement, it may be owned as Law-ful

ful. King *James*, who was jealous enough of the Regal Authority, yet did not like their carrying these Matters so far: He order'd the whole Matter to be let fall so entirely, that there is not a Word of it in the Books of Convocation: But Archbishop *Sancroft* found this Collection of Canons at *Durham*, under Dr. *Overall's* Hand, which he copied out, and Licensed the Book a few Days before he fell under his Suspension. I soon saw that it had a Relation to the Affairs in *Holland*: For the *Dutch* delighted to compare their first beginnings to that of the *Jews* in *Antiochus's* Time: They compar'd King *Philip* to *Antiochus Epiphanes*, and the Prince of *Orange* to *Judas Macabaeus*. But I saw much clearer into the Matter by an Original Letter of King *James*, which a worthy Gentleman sent me. I knew his Hand well, the Letter is in Print; but I will read some Particulars out of it. It is directed to Dr. *Abbot*, afterwards Archbishop of *Canterbury*. It begun with Censuring some Positions concerning a King in Possession, the same with our Modern Term of a King *de facto*: He goes on in these Words, My Reason of calling you together, was to give your Judgments, how far a Christian and a Protestant King may concur to assist his Neighbours to shake off their Obedience to their own Sovereign, upon the Account of Oppression, Tyranny, or what else you like to name it. In the late Queen's Time this Kingdom was very free in assisting the *Hollanders* both with Arms and Advice; and none of your Coat ever told me, that any scrupled about it in her Reign. Upon my coming to England you may know it came from some of your selves to raise scruples, till the Affairs of *Spain* and *Holland* forced me to it. I called my Clergy together, to satisfy not so much me, as the World about us, of the Justness of my owning the *Hollanders* at this Time. This I needed not to have done, and you have forced me to say, I wish I had not. He reflects on those who had a great Aversion to the Notion of God's being the Author of Sin, which plainly points at Dr. *Overall*, who was the first Man of Note among us, that opposed the Calvinists Doctrine of Predestination; yet he says, They had gone to the Threshold of it, by saying, that even Tyranny

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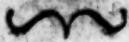
was God's Authority, and should be revered as such. He concludes, *These are edg'd Tools, and that therefore they were to let them rest.* Here is a full Account of King James's Thoughts of this Matter, which was then the chief Subject of Discourse all Europe over. He had Twelve Years before this, shewed on an Eminent Occasion, that he owned the States, when he invited them in the Year 1597 to Christen his Eldest Son, Prince Henry. They were sensible of the great Honour done them by it; and though they were then but Low, they sent an Embassy with a noble Present of Gold Plate, to assist on that occasion. This Negotiation stuck for several Years, the Spaniards refusing to own them in expresse Words: The Temper found was, they were treated with (*tamquam*) as with Free States; and the Matter went no further at that Time, than a Truce for some Years, which was concluded in the Year 1609. This lets us see, that the Words in King James's Speech that Year to his Parliament were not chance Words that fell carelessly from him, *A King leaves to be a King, and degenerates into a Tyrant, as soon as he leaves off to govern by Law: In which Case the King's Conscience may speak to him, as the poor Woman to Philip of Macedon, either govern by Law, or cease to be a King.*

There is another minute Instance towards the end of that Reign, that shews what the Sense of our best Divines was in this Matter: When the Archbishop of York's Son and Mr. Wadsworth had changed their Religion in Spain, Wadsworth writ over a bold Defence of that; and among other Things, charged the Reformation with Rebellion. This was Answer'd by one of the best Books of that Time, writ by Dr. Bedell, Dedicated to the Prince of Wales, who afterwards promoted him to a Bishoprick. His Words on this Head are full: I will read some of them. *Do you think Subjects are bound to give their Throats to be cut by their Fellow-Subjects, or to their Prince, at their meer Wills, against their own Laws and Edicts? You would know quod jure the Protestants Wars in France and Holland, are justified, First, The Law of Nature, which not only*

alloweth, but inclineth and inforceth every living Thing to defend it self from Violence. Secondly, That of Nations, which permitteth those who are in the Protection of others, to whom they owe no more than an honourable Acknowledgment, in Case they go about to make themselves absolute Sovereigns, and to usurp their Liberty, to Resist and Stand for the same. And if a Lawful Prince, who is not yet Lord of his Subjects Lives and Goods, shall attempt to despoil them of the same, under colour of reducing them to his own Religion, after all humble Remonstrances, they may stand upon their own guard, and being assailed, resist Force with Force, as did the Maccabees under Antiochus. In which Case notwithstanding, the Person of the Prince himself ought always to be sacred and inviolable, as was Saul to David. No Commentary is wanted here,

My Lords, You see how this Matter stood during King James's Reign. In the first Year of King Charles's Reign, Grotius's Book de Jure Belli & Pacis, was Publish'd at Paris, Dedicated to the King of France, while France was under the Administration of the wisest and most jealous Minister of the last Age, Cardinal Richelieu. In that Book, in which he asserts the Rights of Princes with great Zeal, yet he enumerates many Cases, in which it is lawful to Resist, particularly that of a total Subversion: And that Book is now all Europe over in the highest Reputation of any Book that the Modern Ages have produced. In the beginning of King Charles's Reign a War broke out in France, against the Protestants; upon which he sent over Ambassadors, by whose Mediation a Peace was concluded; but that being ill kept, the War broke out again; and the King thought himself bound by his Mediation to protect the Protestants. So in the second Session of the Parliament in 1628. in the Demand of a Supply that the Lord Keeper Coventry made in the King's Name, these Words are to be found, France is sway'd by the Popish Faction; and tho' by his Majesty's Mediation there were Articles of Agreement between that King and his Subjects, that Treaty hath been broken, and those of the Reformed Religion will be ruined without present Help. Upon this the Commons petitioned the King for a

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Fast, and desired the Concurrence of the Lords, who joined with them in it. The King granted it, and an Office was compos'd suitable to the Occasion; in which, among other Devotions, the Nation was directed to pray for all those, who bore *elsewhere were fighting God's Battles and Defending his Altars.* Thus the whole Body of the Legislature did concur for a Fast for that, which if this Doctrine is true, was no better than Rebellion; and yet the whole Nation, Clergy and Laity were required to Pray for Success in it.

But to compleat this View of the Doctrine of our Church, it is to be considered, that when a Year before this, while the Loan or Benevolence were carried on, some officious Divines made use of those Expressions of Kings having their Power from God, as importing an Authority of a Nature Superiour to the Laws of the Land. One of these, Dr. *Manwaring*, was Impeached, and had a severe Sentence pass'd on him for it. So I have now made it out beyond, I hope, the Possibility of Contradiction, that for 70 Years together, from 1558, to 1628, the lawfulness of Self-defence in the Case of Illegal and Violent Cruelty, was the Publick and constant Doctrine of this Church.

These were the best and happiest Times of our Church, as is often repeated by the Earl of *Clarendon*: From these we ought to take the Standard of our Doctrine.

I go next to shew what was the common Doctrine for the next 60 Years, from 1628, to 1688. I must yield up the first Twelve Years: For upon the unhappy Misunderstanding between the King and that Parliament, there was a long discontinuance of Parliaments, then the late condemned Doctrine was again in Vogue; and nothing was so much heard of, as the Law of Government that was from God, antecedent to all Humane Laws: Out of this sprung illegal Imprisonments, illegal Monopolies, severe Proceedings in the Star-Chamber, but above all, the Ship-Money. These Things put the Nation in an Universal disjoyn'ting and feebleness. And when an unavoidable Necessity forced that King to call a Parliament, the

the fatal Effects of those Councils broke out terribly. I know many fancy, that the War is to be charged on the Principles of Self-defence: They are much mistaken. I had occasion to see a great way into the Secret of that Time, when I examined the Papers relating to the Two Dukes of *Hamilton*. I knew a great deal more since from Two Persons of unquestionable Integrity, who knew the Secrets of that Time, the Lord *Hollis*, and Sir *Harbottle Grimstone*; but all receiv'd a full Confirmation, when I found it agreed perfectly with the noble Account given by the Earl of *Clarendon*.

No Body dreamt of a War, nor had they any Principles leading to it. But there was an unhappy Train of Accidents that hindred Matters from being brought to a Settlement, even while the King was granting all they could desire. Stories were carried by Persons about both the King and Queen, of Words let fall, that made them conclude, there were still ill Designs on foot, against the Laws that were then passed. But that which brought all to a Crisis, was the Discovery of a Negotiation, to engage the Army to declare against the Parliament. Whosoever compares the Depositions in *Rushworth*, with the Account given of that Matter by the Earl of *Clarendon*, will see there is a great deal more in the one, than the other is willing to believe, tho' he acknowledges they had both *Goring's* Evidence, and *Piercy's* Letter with them. I will not take it upon me to determine, whether they believ'd too much, or the Earl of *Clarendon* too little. It is certain, they believed all that was in the Depositions, and a great deal more: For *Goring* being continued in the Government of *Portsmouth*, and his Father being advanced from being a Baron to be an Earl, and *Piercy's* being made a Lord, and Master of the Horse to the Prince of *Wales*, made them conclude they had suppressed a great deal, instead of saying more than was true. This stuck deep in their Hearts, and at last fatally broke out in the Demand of the Militia, that brought on the War, which I do own was plainly, a *Rebellion*, because a Force was offer'd to the King, not to defend themselves from an unjust In-

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‘ Invasion, or illegal Grievances, but to extort a new Law from him.

‘ Thus the true Occasion of the War, was a Jealousie, that a Conduct of 15 Years had given too much ground for; and that was still unhappily kept up, by a fatal Train of Errors in every step that was made. The great Concussion that the War gaye the Nation, and the barbarous Effusion of so much Blood, especially of the Royal Blood of that Blessed KING, had at last a happy, tho’ a late Conclusion in the *Restoration*: And it’s no wonder, if such a Series of Tragical Events, begot a general Horror at the Occasion of them. But then it was, that had it not been for the Firmness of the Earl of *Clarendon* to his *English* Principles, the Liberties of the Nation had been deliver’d up.

‘ It is to his Memory, that we owe our being a free People; for he with his Two great Friends, the Duke of *Ormond*, and the Earl of *Southampton*, check’d the forwardness of some who were desirous to load the Crown with Prerogative and Revenue. He stopt all this, which being afterwards odiously represented, brought on him that great and lasting but honourable Disgrace. The Earl of *Southampton*, whose Death went a little before his Fall, and perhaps hastned it the sooner, said to many about him, that he was a true *Protestant*, and an honest *English-man*; and that the Nation would feel the Effects of his being removed, whensoever it might happen,

‘ That Lord, in the great Settlement after the Restoration, would carry Things no farther, than to repeal what had been extorted by the Tumults; and in the matter of the Militia-Act, and the Oaths relating to it, all was more cautiously worded, than is commonly understood. To the Word *Commission’d by the King*, some indeed moved, that the word *Lawfully* might be added, to make all plain. This was press’d in the House of Commons by *Vaughan*, afterward Lord Chief Justice of the Common-Pleas. The Attorney-General, afterwards Lord Chancellor *Nottingham*, answer’d, That was not necessary; for the word *Commission*, importet it; since, if it was not *Lawfully* issued out,

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to Lawful Persons, and for a Lawful Reason, it was no *Commission*; and the whole House assented to this; yet in the House of Lords, the same word *Lawfully* was pressed to be added by the Earl of *Southampton*, who was answer'd by the Earl of *Anglesey* to the same Purpose, with what had been said in the House of Commons. He indeed insisted to have the word added, because it would clear all Difficulties with many, who not having heard of the Sense given in both Houses, might fancy, that any sort of *Commission* being granted, it would not be Lawful to resist it. He did not prevail; for it was said, That this Explanation being the Sense of both Houses, it would soon be spread and known over the Nation. In this Sense, it is certain, that it is not Lawful to take Arms against any so Commission'd by the King; for that were to take Arms against the King's Commission in the Execution of the Law, which is certainly a resisting the Ordinance of God, *which whosoever do, they shall receive to themselves Damnation.*

It was no wonder, if after such a War, the Doctrine of *Non-Resistance* was preach'd and press'd with more than ordinary Warmth, and without any Exceptions; yet some still kept these in view; so did both Dr. *Falkner* and my self; and I know many others had them always in their Thoughts, tho' they did not think it necessary to mention them.

I found the ill Effects, that the carrying this Matter so far, had on the Mind of that Unfortunate Prince, King *James*; for in the Year 1673, when he was pleas'd to admit me to much free Conversation with him, among many other Things, I told him, it was impossible for him to Reign in quiet in this Nation, being of that Religion; he answer'd me quick, Does not the Church of *England* maintain the Doctrine of *Non-Resistance* and *Passive-Obedience*? I begg'd of him not to depend on that; for there was a Distinction in that Matter, that would be found out when Men thought they needed it. I now come to tell your Lordships, how right I judged.

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‘ It is true, they pass’d a very pompous Decree at *Oxford* 1683. but you shall hear how long they stood to it. In Summer, 1686, the Prince of *Orange* was pleas’d to receive me into his Service with a particular Confidence. Soon after the Ecclesiastical Commission was set up, and upon some Proceedings before that Board, he was desir’d from *England* to break with King *James* upon that Head. I opposed this, and said, I was convinced, that Commission was against Law, and would have ill Effects, but it did not strike at the whole. This was more warmly press’d upon the Proceedings against *Magdalen* Colledge. I still stood to my Ground; and told both Prince and Princess, That if a Breach should follow on these Matters, I could not serve. When indeed the Declaration was publish’d a second Time, with a Resolution to have it carried through; and that many Laws were dispensed with at Pleasure; and Persons who were under legal Disabilities, were made Judges, Sheriffs and Magistrates; all whose Acting were so many Nullities: Then I thought here was a total Subversion of our Constitution; which from being a Legal one, was made precarious, subject to meer Will and Pleasure. So I was ready to serve in the Revolution.

‘ Some Days after we came to *Exeter*, Sir *Edward Seymour* came thither, and he presently sent for me: When I came to him, he asked me, Why were we a Rope of Sand, and had not an Association? I said, because we had not yet a Man of his weight to begin the Motion: He said, if we had not one by to Morrow, he would leave us before Night. I presently saw a Noble Duke now in my Eye, and acquainted him with this; he went to the Prince, who approving of it, an Association was prepar’d, and laid on the Table next Morning; and was after that Signed by all who came to wait on the Prince. Three Days after we left *Exeter*, a Head of a Colledge came to the Prince, to invite him to come to *Oxford*, assuring him, that the University would declare for him. He went as near it as *Abington*, but then the sudden Turn of Affairs at *London* obliging him to haste up, the Association

was

was sent thither, and was Signed by the Heads of the Colledge, and many others there; some doing it in a particular warmth of Expression, and saying, that their Hearts, as well as their Hands went with it. Upon what Disappointments or other Views, I cannot tell, this Contradiction to their famed Decree, five Year after it was made, seem'd to take another Turn back to it again; and the Notion of a King *de facto*, which is but a softer Word for an Usurper, came in Vogue.

The Parliament, to prevent the ill Effects of that, studied to secure the Government. First, By an Association, and then by an Abjuration, I, who was always against every Thing that might break in upon Conscience, was for making these only voluntary; but they were Enacted, and they were generally taken. A Noble Lord on the Earls Bench, procur'd me the Sight of a Letter, that went about to perswade the taking the Abjuration, that he had from a Place where he believed it had its Effect; where I found this Distinction, that the abjuring any Right whatsoever that the Pretender might claim, was only meant of a Legal Right, and that it had no Relation to *Birth-Right*, or to *Divine-Right*. This agreed, with a Report that went then Current, that a Person in a great Post, sent a Message to an Honourable Gentleman, who would not take the Abjuration, that if he had an half Hour's Discourse with him, he doubted not to be able to convince him, that he might take the Abjuration, without departing from any of his Principles. Towards the End of the last Reign, a bold Attempt was made on the King's Supremacy, by an Incendiary, who is supposed to have no small Share in this Matter now before your Lordships: But the Attack on the Supremacy being liable to a *Premunire*, it was turn'd with much Malice, and managed with great Prevarication against the Bishops, who adhered firmly to their Duty to the King. How great a Disjointing that has brought on this Church, is too visible all the Nation over, and it tends to carry on the wicked Design of distracting the Church, and undermining the Government.

By

March.



' By the time the Queen was on the Throne, or
 ' soon after, the *Rehearsal* began to be spread over
 ' the Nation, three of them a Week, which conti-
 ' nu'd for Seven Years together, to be Publish'd
 ' without Check or Controul : It was all thro' one
 ' Argument against the Queen's Right to the Crown;
 ' that, tho' it was diversify'd with Incidents and Di-
 ' gressions, was kept always in view. The Clergy
 ' were in many Places drawn into Subscriptions for
 ' this Paper. This look'd like a Design long con-
 ' niv'd at, to have the Queen's Title undermin'd.
 ' Besides this, we had a Swarm of Pamphlets every
 ' Year to the same Purpose, and, as was believ'd,
 ' writ by the same Hand. One sold at the Door of
 ' this House, with the Title of *King William's Es-*
 ' *orbitant Grants*, did plainly call him an Usurper;
 ' and starting an Objection against the Queen's pos-
 ' sessing the Throne, gave it this Answer, *That she*
 ' *did well to keep it till she could deliver it up to the*
 ' *Righteous Heir*. At that time there was quick Pro-
 ' secution of a Paper publish'd, with the Title of
 ' *The shortest Way with the Dissenters*; and upon that,
 ' I brought that to a great Minister, and offer'd to
 ' shew him this Passage in it, to see if there should
 ' be a Prosecution of this order'd. He turn'd from
 ' me; so whether he heard me or not, I cannot tell:
 ' I am sure, if he says he did not, I will believe
 ' him. No Prosecution follow'd, and the *Rehearsal*
 ' went on. The Clergy, in many Places, met at a
 ' Coffee-House, on *Saturdays*, to read the *Rehearsals*
 ' of the Week, which had very ill Effects in most
 ' Places. I know it may be said, That the Queen's
 ' Learned Council ought to have look'd after these
 ' things: But we all know, that they stay till they
 ' receive Orders from the Ministry. The Course
 ' of that Treasonable Paper has been now for some
 ' time stopt, so we see there is some Change in the
 ' Ministry.-----

' But to compleat the Insolence of the Enemies
 ' of the Queen and the Protestant Succession: they
 ' had the Impudence to give it out, That the Queen
 ' secretly favour'd them: And as this, we all know,
 ' has been long whisper'd about among us, so it was
 ' more boldly given out in *Scotland*, which oblig'd
 ' one



one of the Queen's Ministers in that Parliament, in a Speech that was printed, to contradict this treasonable and dishonourable Suggestion: That as some Divines would have it, that there was in God a Secret, as well as a Reveal'd Will, and that these might be contrary to one another; so they would fasten an Imputation on the Queen, that while she reveal'd her Will one way, she had a secret Will another way; which he solemnly affirm'd to be false, and highly injurious to the Queen.

While the Pamphlets and these Reports were thus set about, Mr. *Hoadly* thought that it became him to assert the Queen's Title, by justifying the Revolution, out of which it rises. But what an Outcry was rais'd on this, that one durst disturb the Progress of a wicked Opinion, that was visibly design'd to overturn the Government: And yet he asserted nothing, but what the Council for the Prisoner did all fully and plainly own, That in the Cases of extream Necessity, an Exception to the Doctrine was to be admitted, and that that was the Case at the Revolution.

But as these Notions have been long let run among us, so they have appear'd in a most violent and unguarded Manner, ever since the Attempt of the Pretender; and more of late, since the Preliminaries upon the Overtures for a Peace seem to extinguish their Hopes. What Sermons on this Head are preach'd in this City, at Assizes, at *Bath*, and at many Cathedrals! Furious Men fit themselves with some hot Sermons, which they carry about from Place to Place, to poison the Nation. This has not only the visible Effect design'd by it, of shaking many in their Allegiance to the Queen, and in their adhering to the Protestant Succession; but it has a curst Effect on many others, on whom this their Design does not succeed.

I am very sensible there is a great deal of Impiety and Infidelity now spread thro' the Nation: This gives every good Mind all possible Horror; but I must tell your Lordships, on what a great Part of it is founded; for since my Conversation with *Wilmot*, Earl of *Rochester*, I have had many
Occa-

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‘ Occasions to discourse with Persons tainted with those wicked Principles; and I do affirm it, that the greatest Prejudice these Persons have at Religion, at the Clergy, and at the Publick Worship of God, is this, that they say, They see Clergymen take Oaths, and use all Prayers, both Ordinary and Extraordinary for the Government; and yet in their Actings and Discourses, and of late in their Sermons, they shew visibly that they look another way; from whence they conclude, They are a mercenary Sort of People without Conscience.

‘ I hope there are not many that are so corrupted and so scandalous: I am sure I know a great many that are far otherwise, who Preach, Speak, and Act, as they Swear and Pray; but those who Act in another way, are Noisie and Impudent, and so bring an Imputation on the whole Body; and unless an effectual Stop is put to this Distemper, it is not possible to foresee all the ill Consequences that may follow upon it.

‘ I have, I am afraid, wearied your Lordships; but I thought it was necessary, once for all, to enlarge copiously on this Argument: And now to come close to the Article, and the Sermon, for I meddle not at all with the Person of the Man: Whatever general Expressions might very well have been used, in setting forth *Passive Obedience* and *Non-Resistance* before the *Revolution*, because odious Cases ought not to be suppos’d, and therefore are not to be nam’d; yet since *Resistance* was us’d in the *Revolution*, and that the late King invited all the Subjects to join with him, which was in them certainly *Resistance*; and since the Lawfulness of the *Revolution* is so much controverted, the condemning all *Resistance*, in such crude and general Terms, is certainly a condemning the *Revolution*: And this is further aggravated from those Limitations on our Obedience, in an Act pass’d soon after the *Revolution*, by which, in Case our Princes turn *Papists*, or marry *Papists*, the Subjects are in express Words discharg’d from their Allegiance to them. Certainly this puts an End to the Notion of *Non-Resistance* in any Case, or any Pretence
what.

whatsoever: For these Reasons, I think the first Article of this Impeachment is both well-grounded, and fully made out. *March.*

A Noble Peer having said something in favour of Dr. Sacheverell, and reflected on some *Bishops Voting contrary to their Doctrine*, the Bishop of Oxford took from thence Occasion to speak on the other Side; and said,

My Lords,

SOME of this Bench are necessarily call'd up, *Bishop of Oxford's Speech.* by Words which fell from the Noble Lord who spake third in this Debate, who was pleas'd to mention among other strange Things, *Bishops voting contrary to their Doctrines.* The Opinions of several of the Reverend Prelates have been read before your Lordships in *Westminster-Hall*: They were first quoted by the Counsel for the Defendant, and by their Order read in such a partial and unfair manner, that if I may be allow'd to use any other Author after the same way, to take a naked Proposition out of his Book, and not consider the Coherence or Dependance of the Words, how it may be explain'd or limited in other Places, to read just so far as may serve my Purpose, and stop when any thing follows that may set the Matter in a just Light, I dare undertake to make any Author speak on which ever side of the Question I please.

But the *Managers* for the Honourable House of Commons did Justice to those Reverend Prelates, by obliging the *Clerk* to read other Passages in their Books, which clearly explain'd their Opinions; and so the only Purpose that was eventually serv'd by producing those Quotations, was that which I fear was not intended, the vindicating those Reverend Prelates from the uncharitable Imputation of having asserted a *Doctrine* in their *Writings* which they had contradicted by their Practices, in relation to the Revolution, and the Government founded upon it.

I hope to be able to reconcile the Vote which I shall give, with the Opinion which I have always

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been of, and which having not been produc'd below, I stand up to give it your Lordships here, being far from censuring, far from entertaining the least disrespectful Thought of any that shall differ in Opinion from me.

I own the Subject now in Debate is a Matter of great Consequence, and of great Nicety and Tenderness; and that he, who should presume to entertain your Lordships upon it, ought to be better qualify'd, and better prepar'd than I am in other respects, but I will give place to none in those that follow, viz. in delivering my self with that Respect and Deference which is due to this House, that humble Diffidence which becomes a just Consciousness of my own Weakness, and that Plainness and Sincerity which becomes that Character, which, however unworthy of it, I have the Honour to bear; and then I am sure I may depend upon your Lordships known Candor, Honour and Justice, that if any thing should fall from me less correct, or less guarded than it ought to be, it shall receive the most favourable Construction that it is capable of.

Before I deliver my Opinion, I beg leave briefly to state the Question, and in order to that to lay down two Premisses.

1. That Government in general was, in its Original Institution, design'd for the good of the whole Body; Men were not form'd into Societies, only to be the Subjects of the arbitrary Wills, the slavish Instruments in the gratifying the ambitious or other corrupt Designs of any one or more Men; but for the Safety and Prosperity of the whole Community.

2. That in the Holy Scriptures (as far as I can find) there is no Specification of any one particular Form of Government, to which all Nations and Bodies of Men, in all Times and Places ought to be subject; nor are there such exact Accounts of the Extent of the Power of the Government, or Obedience and Submission of the Governed, as can reach to all Cases that may possibly happen.

There

There are many general Precepts requiring the Obedience and Submission of Subjects to their Governours: *Let every Soul be subject to the higher Powers; You must needs be subject not only for Wrath, but also for Conscience sake; He that resists, resists the Ordinance of God; And submit yourselves to every humane Constitution for the Lord's sake, &c.*

But yet these Scriptures do not tell us how far we must obey and be subject, nor do they necessarily imply that there can never be any Cases wherein we may not obey and not be subject, but resist; because there are other Places in Scripture, where other Duties are required in Terms as large and general as these, nay in universal Terms, which yet must admit of Exceptions.

Some of the most Zealous Contenders for the absolute Power of the Prince, and unconditional Submission of the Subject, found themselves very much upon the Fifth Commandment, *Honour thy Father and Mother*, which they expound as comprehending Political as well as Natural Parents, and I do not gainsay it: But then pray, my Lords, let us see in what Terms the Duty of Children to their natural Parents is required in Scripture: *Children*, says the Apostle, *obey your Parents in all Things*; This Expression is surely universal enough, and from hence, according to some Men's Reasoning, it must follow, if Children must obey their Parents in all things, then they may resist in none.

But will any Body say, that notwithstanding the Universality of this Precept, there may not be some Exceptions and Limitations understood, both as to the *Active* and *Passive* Part of the Child's Obedience? As to the *Active* no one will deny, but the Command must be restrained to *Licita & Honesta*; they are not to obey in all things absolutely, but in all things that are Lawful and Honest.

And as to the *Passive* Part of the Child's Obedience, the Submission or Non-Resistance required, permit me to put a Case. Suppose a Parent in a Phrenzy, in a Fit of Drunkenness or Passion, draws his Sword and attempts to kill his innocent Son, and the Son has no way to escape from him; is he obliged by this Duty of *not Resisting*, to stand still

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and let his Father sheath his Sword in his *Bowels*? May he not, though he must still have a care of his Father's Life, defend his own? May he not put by the Pass, grapple with his Father, and disarm him if he can? My Lords, surely he may; That prime Law of Nature, of *Self-Preservation*, will justify him in it: And then why may not the same Law of *Self-Preservation* justify the Political Child, the Body of the People, in defending their political Life. i. e. their *Constitution*, against plain and avow'd Attempts of the political Parent utterly to destroy it? And it is upon this Point only that I shall state the Question.

I do allow, that in all Governments whatsoever there is an absolute Power lodg'd somewhere. With us, as I humbly conceive, that Power is lodg'd in the Legislature; for which I have the Authority of a great Politician and Statesman, Sir Thomas Smith, who was Secretary of State to two Princes, K. Edw. 6. and Q. Eliz. who in his Book *De Republica Angl.* a Book seen and allow'd as is said in the Title-page, in that Chapter where he treats of our Parliaments, and the Authority thereof, lays down this Assertion, *The most high and absolute Power of the Realm of England consisteth in the Parliament*; and giving particular Instances of that Power, among others mentions this, *That the Parliament gives Forms of Succession to the Crown.*

The Executive Power with us is lodg'd with the Prince, and I do readily allow that the Prince so vested with the Executive Power, and all others lawfully commission'd by him, acting according to their Commission, and within those Laws, with the Execution whereof he and they are respectively trusted, are irresistible: The Person of a Prince is always inviolable: No personal Faults in him; no Injuries to particular Persons, where they can have no Redress by Law, as in several Cases they may have; no general *Mis-Administration*, whereby the Publick may be greatly hurt, can justify any forcible Resistance of his Subjects; nor any thing else than a total Subversion of the Constitution.

* But if in a legal Monarchy, where such Laws have been enacted by common Consent of Prince and People, as are to be the Measures of his Government, as well as of their Obedience, that limit his Power, as well as secure their Rights and Properties, the Prince shall change this Form of Government into an absolute Tyranny, set aside those Laws, and set up an *Arbitrary Will* in the room of them; When the Case is plain, and when all Applications and Attempts of other kinds prove unsuccessful; If then the Nobles and Commons joyn together in Defence of their *Ancient Constitution, Government and Laws*, I cannot call them Rebels. Allow me, my Lords, to lay before you a few things in maintenance of what I have advanced. And,

I. I would humbly offer some Facts, which I allow do not directly prove what I have said to be true, but they do prove it to have been the Opinion of our Princes, Parliaments, Clergy and People in the Reigns of those three great Princes, Q. Elizabeth, K. James and K. Charles I. I mean the Assistances which those Princes gave to the Subjects of other Countries that were resisting their respective Princes; and to enable them to do so, they had Subsidies given them in Parliament and Convocation-----, and there were Prayers compos'd and used for the Success of their Arms.

Surely, my Lords, if those Princes, Parliaments, Clergy and People had been of Opinion, that the Resistance of Subjects against their Princes, was in no case lawful, but always damnable Rebellion; they would never by aiding and assisting such Rebels have involv'd themselves in the Guilt, and expos'd themselves to the dangerous Consequences of such a Sin. I mention not the particular Stories, because they are better known to your Lordships than to me, and because I doubt not but in the Course of this Debate, some Lord or other will give a larger Account of them; but I cannot forbear observing one thing relating to that Assistance, which that pious Prince, and now glorious Saint in Heaven, K. Charles I. gave to the *Rebellers*, who were surely the Subjects of the King of France; he order'd a Fast by Proclamation, and appointed a Form of

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Prayer to be drawn up for the imploring of God's Blessing. It is highly probable that Bishop Laud had the great Hand in composing those Prayers, he being then Bishop of London, and in great Favour, and the Arch-bishop of Canterbury, Abbot, at that time in Disgrace. But whoever compos'd them, I beg leave to read part of one of the Collects in that Office. *O Lord God of Hosts, that givest Victory in the Day of Battle, and Deliverance in the time of Trouble, We beseech thee to strengthen the Hands, and encourage the Hearts of thy Servants, in fighting thy Battles, and defending thy Altars that are among us, and in all the Reformed Churches.* It seems the reformed Churches were thought to have God's Altars among them then, however they have been villify'd since. But that which I would observe from this Passage is this, That neither that excellent King who commanded those Prayers to be compos'd, nor the Bishops who compos'd them, nor the Clergy and People who us'd and join'd in them, could in so solemn a manner have recommended those Forces to the Divine Protection and Favour, and as such as were fighting God's Battles, if they had thought they were fighting against God in his Vice gerent, and at defending his Altars, if they believed they were resisting his Ordinance.

2. I could produce several Authorities in support of what I have laid down, but I shall mention but one; It is in a Book written professedly on this Subject, and the Passage I shall quote comes home in point to the Matter in Hand; the Book was written in Q. Elizabeth's Time; every one that is acquainted with the History of Her Reign knows what Attempts were made by the Pope and his Party against her Government and Life, by Excommunicating, deposing her, absolving her Subjects from their Allegiance, by raising Tumults and Insurrections, by Dagger, Poison, and what not: And 'tis certain, that they were these wicked Practices of the Pope and his Followers, and the Doctrines by which they justify'd them, that the Compilers of the Homilies, which were then made, and other Authors, who then wrote about the Power of the Prince and the Duty of the Subject, had principal-
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ly in their View: The Book I mean, is intituled, *The true Difference between Christian Subjection and Unchristian Rebellion.* It is written by way of Dialogue between a Christian, whom the Author calls *Theophilus*, and a Jesuit whom he calls *Philander*. I beg leave to read a Quotation out of it. *Theophilus* the Christian says, *I buste not my self in other Mens Commonwealths as you (the Jesuits) do, neither will I rashly pronounce all that resist, to be Rebels: Cases may fall out even in Christian Kingdoms, where the People may plead their Right against their Prince, and not be charged with Rebellion.* *Philander* the Jesuit asks, as when for Example? *Theophilus* the Christian replies thus. *If a Prince should go about to subject his Kingdom to a foreign Realm, or change the Form of the Commonwealth from Impery to Tyranny, or neglect the Laws establish'd by common consent of Prince and People, to execute his own Pleasure; in these and other Cases, which might be named, if the Nobles and Commons join together to defend their ancient and accustomed Liberty, Regiment and Laws, they may not well be accounted Rebels.* This Book is said, in the Title-page, to have been perused and allow'd by publick Authority; was written by a great Man, Dr. *Bilson*, then Warden of *Winchester* College; printed at *Oxford* by the University-Printer, and dedicated to *Q. Elizabeth*, and the Author was afterwards made Bp. of *Winchester*. I could offer many other Authorities, not from false Sons, or perfidious Prelates of the Church, not from Men of *Factions* and *Antimonarchical* Principles in relation to the *State*, but venerable Names, *Ornaments* to the Ages they lived in, and such as will be remembered with Honour in succeeding ones: But I am superceded in producing, and your Lordships trouble saved in hearing more particular Quotations to this purpose, by what is yielded by a Reverend Divine of great Parts and Learning, far enough from the Suspicion of being prejudic'd against the Rights of Princes, or partial to those of the People, I mean the Reverend Dean of *Carlisle*, who in a Latin Discourse preach'd and printed in this Town, upon the *Duty of Submission*, stating some Cases of extreme Necessity, and putting the

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Question, *Whether it may not be lawful for the People in such Cases to resist?* answers *Viri, boni & graves, &c.* That good and judicious Men, Men that have taken great and useful Pains in defending the Rights of Princes, and repressing popular License, have contended that it is Lawful: He adds indeed whether they have done Right or Wrong, let others judge; and does not give his own Opinion. But since he has granted, that such Men as he has described, Men of Probity and Judgment zealous Assertors of the Rights of Princes, and Repressors of popular License, have contended that in Cases of extreme Necessity it is lawful for the People to defend themselves; I may comfort my self, if I err in my Opinion, that I err in good Company. But I humbly conceive I do not err, and that,

3. For this plain Reason, That if it be utterly unlawful to Resist in any Case whatsoever, even that of a total Subversion of the Constitution and Laws; then there is no Distinction of Governments, of Absolute, I mean, and Limited; or if there be a Distinction, it is a nominal one without any any real Difference; for what difference is there between a Prince's governing Arbitrarily without Law, and governing Arbitrarily against Law? Betwixt having no Laws at all, and having precarious Laws that depend intirely on the Will of the Prince, whether he will observe one of them or subvert them all, and if he does, the People cannot help themselves?

But, my Lords, I hope and believe that there is a real distinction of Governments, and that the Subjects of all Governments are not in the same wretched Condition that those of *France* and *Turkey* are in. I hope we have not boasted falsely or vainly of our own Form of Government, that we are bless'd with a Constitution more happy than any other Nation in the World enjoys, that allows and secures as great and (I had almost said) God-like Powers and Prerogatives to the Crown as any wise and good Prince can desire, a Power of doing every thing that is Good and nothing that is Ill, and at the same time secures most valuable Rights and Privileges to the People,

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‘ What wise or good Prince would not rather chuse to reign over free Subjects, than tyrannize over Slaves? To receive a willing cheerful Obedience proceeding from the Principles of Gratitude, Love and Interest as well as of Duty, rather than a forced one, owing meerly to a Principle of Fear, the Principle from whence the *Indians* worship the Evil Spirits?

‘ My Lords, such a Frame of Government your Lordships have received from your Ancestors; and I hope and trust, that in grateful Respect to their Memory, and in tender Regard to your Posterity, [I say nothing of *our selves*, my Lords; for as for us who have the Happiness to live under the Government of the best of Princes that ever Heaven bless’d a Nation with; for us, I say, were our Government as Arbitrary as any in the *East*, yet I should think our Rights, Liberties and Properties, and whatever is most dear and valuable to us, as safe as if they depended entirely upon her Majesty’s gracious Will, as they are now they are secured to us by our Laws, or stronger Fences, if they could be made] but I speak in regard to those that are to come after us; and I do hope and trust that as your Lordships have received such an inestimable Treasure from your Predecessors, you will transmit inviolable to your Posterity.

‘ My Lords, I fear I tire you, but I must beg your Patience a little longer, while I express my Surprise and Wonder that the Doctrine of *Passive Obedience* and *Non-Resistance*, in the unlimited Extent in which some explain it, is so diligently inculcated, and so zealously press’d at this Time.

‘ *Passive Obedience*, I own when truly stated, is a truly Christian Duty, a perpetual Duty as to the Obligation, but occasional as to the Practice of it. Now Preachers do not usually, neglecting the pressing of other Duties of more constant Practice, lay out their Time and Labour in filling both Pages of their Discourses with earnest Assertions and violent Exhortations to the Practice of an occasional Duty, unless they have some near Prospect of an Occasion for the Exercise of it. And yet, my Lords, has not this one Duty been of late
more

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Can there be a Wretch so abandoned, so lost to all Sense of Gratitude and every thing that is good as to be capable of admitting a Thought that our gracious Queen has done, is doing, or intending to do any thing, that may give her Subjects occasion for the Practice of this Duty? Has she not ever since her happy Accession to the Throne postponed, sacrificed her own Repose and Ease to the Quiet and Happiness of her Subjects? Has she not clearly shown that she has nothing so much at Heart as the Good and Prosperity of her People, the true Interest and Honour of her Kingdom, which she has carried higher than any of her Royal Predecessors ever did before her? Has she not approved her self a true Parent of her Political Children, by exercising as prudent a Care of, and expressing on all Occasions as tender an Indulgence to them, as any natural Parents ever did towards theirs?

If then there be no occasion from the Conduct of our Prince, is there any Reason in the Behaviour of her People that may justify this extraordinary and otherwise unseasonable Zeal for this Doctrine? Do they (excepting such as the Zealots of this Doctrine have excited to disturb her peaceful Reign at home, by rebellious and dangerous Tumults and Insurrections) shew any Uneasiness under her Majesty's Government, or Inclinations to throw it off? Do they not bless their glorious Queen and God for her? Do they not on all Occasions express their grateful Sense of the many inestimable Blessings they enjoy through her Administration? Do not they constantly offer up their devout Prayers to God for her long Life and happy Reign? Do they not willingly pay their Taxes for the Support of her Government, cheerfully expend their Treasure and Blood too in Defence of it?

What then can be said for such a Conduct which can have no other natural Tendency than to create

' are unreasonable Jealousies of her People in the
' Head of our Queen, and groundless Fears of their
' Queen in the Hearts of her People? Jealousies in
' the Queen, that her Subjects are inclinable to re-
' bel against her, when the Clergy think it neces-
' sary thus to press these Restraints upon them; and
' Fears in the People, when their Pastors are so in-
' dustriously preparing them for Sufferings?

' My Lords, I would not be thought to charge
' upon all that hold and assert this Doctrine, the
' Consequences which I may with too much Reason
' charge upon some of them; I mean such as do not
' allow her Majesty's Title to the Crown, but refuse
' to take the Oaths to her, or join in Prayer for her,
' and have upon that account form'd one of the
' most unaccountable Schisms that ever was made
' in the Church: Some of these have engaged zea-
' lously in asserting this Doctrine; and one of them
' in a Paper written in Vindication of it, has not
' been afraid to insinuate a Parallel between the Case
' of *her Majesty* and *the Pretender*, and that of *Athali-*
' *ah* and *Joash*.

' Horrid Suggestion that would make one trem-
' ble! What do these Men mean? Any Service to
' her Majesty? No: The Consequences as to them
' are plain. If to Resist upon any Occasion whate-
' ver, be unlawful, be Rebellion, damnable Rebelli-
' on; then the Revolution was Rebellion, and all
' that were concern'd in it are involv'd in that Guilt;
' then we have continued in a Rebellion ever since;
' then if we wou'd avoid Damnation, we must re-
' pent of that Sin; but there is no true Repentance
' without Restitution, and if there must be Restituti-
' on, they will tell you what that is.

' I would charitably hope, that the unfortunate
' Person now in Judgment before your Lordships,
' did not intend to carry Matters so far: But I must
' say, his Doctrine as he has stated and managed it,
' under his Head of *False Brotherhood*, with relation
' to the State, does give too great a Handle for those
' that have such Views, to improve what he has
' said to their Purposes.

' The Council for him, have labour'd to defend
' him against the Charge in this Article, by produ-
' cing

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cing a great many Quotations out of the *Homilies*, *Statutes*, and *Writings* of Divines dead and living, wherein this Doctrine has been laid down generally. They all allow'd that Cases of extreme Necessity were always excepted out of this general Doctrine; and that tho' the Exception was not express'd, yet it was always imply'd; and they allow'd farther, that the Case of the Revolution was a Case of such Necessity: But how did they apply this to the Case of their Client? Thus: They said, that those Divines whom they had quored, were never found fault with for asserting the Doctrine in general Terms not expressing but tacitly implying the Exception; Then they ask'd why should the Doctor be charged for asserting the Doctrine in general Terms, as others had done, not expressing the Exception which they had not express'd? Why should not he be intitled to the favourable Construction of tacitly implying the Exception of Necessity, such a Necessity as they allow'd justified the Revolution?

Indeed I should readily have admitted the Plea, if the Doctor had done no more than barely assert the Doctrine in general Terms, and his only Fault had been that he had not express'd the Exception which he tacitly imply'd: But has he done no more than this? Has he not mention'd the Case of the Revolution, with no other View, as I can see, than to expose it, not as an Exception out of his general Position, but an Objection against it? Our Adversaries, says he, that is, those that oppose his general Doctrine, think they have us sure, &c. &c. effectually confute that Doctrine, by objecting the Revolution. This Objection must suppose that there was Resistance at the Revolution; for to say that the general Doctrine, that it is not lawful in any Case to resist, is not true, because the Revolution was lawful, in which there was no Resistance, would be a wonderful Objection indeed: I say, Resistance must be suppos'd in the Objection, to make Sense of it. How then does he solve this Objection? Does he say the general Doctrine always implies an Exception of Cases of Necessity? That the Revolution was a Case of such Necessi-

ty, and therefore that Necessity justify'd the Resistance at the Revolution? No, but by advancing a strange Position (which he proves by as strange a Medium) *viz. That there was no Resistance at the Revolution*: plainly implying, that if there was Resistance at the Revolution, which every Body knows there was, the Revolution stands condemn'd by his general Doctrine. So that I cannot see that his learned Council, who wanted neither Abilities nor Inclinations to serve him, have at all defended him against the Charge in this Article. But this they have effectually done, they have given up his general Doctrine, if it admits of no Exceptions; and thereby clear'd the Revolution and the necessary Means whereby it was brought about, from those black and odious Colours which he endeavoured to cast upon them.

After all, I can truly appeal to my own Heart, and a greater than it, the Searcher of it, that I am not any ways prejudiced against the Person of the unhappy Prisoner, but rather in favour of him, as I am of all Men in his suffering Circumstances, by a natural Tenderneſs (it may be a Weakness, but such a one as I cannot help) which never suffers me, however obliged in Justice to it, to do a hard thing to any one however deserving it, without doing at the same time a hard thing to my self: And if your Lordships should be of Opinion in the Conclusion of this Trial, that the Commons have made good their Charge against him, I am sure I could come into as easie a Sentence upon him as may be consistent with the Honour and Justice of your Proceedings, and with that which I take to be the chief end in all Punishments, not so much the hurting the Offender, as the preventing the like Offences, and hindring others from committing them for the future.

But still, my Lords, there is surely a Tenderneſs and Compassion due to our Queen, our Country, and our Posterity, all which I humbly apprehend are highly concerned in the Issue of this Affair.

If Clergymen may with Impunity publickly in their Sermons arraign and condemn the Revolution:

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lution: Besides the Reflections they cast upon all the worthy Patriots that were concern'd in that great Work, the Commonalty, Gentry, and Nobility, Lords upon every Bench in this House; besides this, it must shake, it must sap the very Foundation of our present Establishment, as it stands upon the Foot of the Revolution, and utterly destroy our future Hopes in the Protestant Succession, which is founded upon that Bottom only.

My Lords, I must humbly ask Pardon for having trespass'd so long upon your Patience, and will conclude with this one Word, That in my Opinion, *These Practisings of Clergy-men (to use the Expression of a great and eminent Prelate) in State-Matters, are of that dangerous Tendency and Consequence, that if there be not some effectual Stop put to these Practisings, these Practisings will, in time, put an effectual End to our Constitution.*

The Commons had therefore Reason to bring this Matter in Judgment before your Lordships, and I think they have fully made good their Charge in the first Article of their Impeachment against Dr. Sacheverell.

Several other Peers, particularly the Earl of *Wharson*, the Duke of *Devonshire*, the Lord Chancellor, and the Lords *Somers* and *Halifax*, spoke in Vindication of the late Revolution, and maintain'd, that in extraordinary Cases Resistance is necessary and lawful; and concluded, That the Commons had made good the first Article. The Archbishop of *York*, the Dukes of *Leeds* and *Buckingham*, the Earls of *Nottingham*, *Rochester* and *Anglesea*; the Lords *Gernsey*, *North* and *Grey*, and *Carmarthen*, and the Bishops of *London*, *Rochester*, and *Bath* and *Wells*, who spoke on the other side, declar'd, *They never read such a Piece of Madness and Nonsense, as Dr. Sacheverell's Sermon preach'd at St. Paul's; but did not think him Guilty of a Misdemeanour*: The Earl of *Anglesea* adding, *He never knew Nonsense to be a Crime.* The D. of *Lincoln*, who made a very long Speech, own'd he had a great Share in the late Revolution; but said, he never thought Things would have gone so far as to settle

the Crown on the Prince of Orange, whom he had often heard say, *He had no such Thoughts himself.* The Bishop of Bath and Wells 'allow'd what the Bishop of Oxford had advanc'd about the Necessity and Legality of *Resistance* in some Cases; but was of Opinion, that Doctrine ought to be kept from the Knowledge of the People, who were naturally too apt to *resist*; and that the opposite Doctrine ought rather to be maintain'd and enforced.

The Lord *Haverham*, who of late Years had been noted for a Speech-maker, could not be wanting to himself on this Occasion, made the following Speech, which must be allow'd to be an odd one from a Presbyterian's Mouth.

My Lords,

WHEN I consider where this Impeachment first began, I cannot but think the Design of it was very good; but whatever it was, in its first Intendment, it is very evident, it has already produc'd very mischievous Effects; it has created great Disturbances in private Families, and Tumults amongst the People; and rais'd a Ferment in the Nation, that will not be laid by your Lordships Judgment, let that be what it will. It has been a two-edged Mischief; giving the Church on the one side, and the Dissenter on the other, too just Apprehension, that they are both in danger. Nor can this be wonder'd at, when your Lordships have been told, by some of the Managers, of a pretended Divine Right of the Church; and when it has been more than hinted by the Managers of the House of Commons, That the Clergy ought to be directed by the Civil Power, what Doctrine they should teach: Nay, when they have authoritatively taken upon them to interpret Scripture, and charg'd it as a Crime upon a Minister, that he had wrested several Places of it to his own wicked Intentions.

My Lords, After so noble a Defence made for the Doctor by his Council, and so great and moving an Apology by himself, I should not trouble your Lordships upon this Occasion, were it not

The Lord
Haver-
ham's
Speech on
the first
Article.

Mayeb.



not more in Justification of my self, for the Judgment I shall give, than for the sake of the Doctor, whose Cause, I think, now stands in very little need of it.

I was, my Lords, a Sufferer in the late Reign, as well as others; I was in the Convention-Parliament, and in the Vote of Abdication; and am, at this Day, of the same Principle I was then; and yet, notwithstanding this, I am not ashamed to say to your Lordships, that I think my self oblig'd, in Justice, to acquit the Doctor from the Charge brought against him in this Article. And tho' this may seem strange to some of your Lordships, yet I hope it will not appear so very strange, as to see Bishops vote against their own Doctrines, and Dissenters in the midst of a Mob, that are pulling down Meeting-Houses; especially after the Reasons I shall offer to your Lordships for the support of my Opinion.

I shall not trouble your Lordships about the Original of Government, or the divers Forms of it; your Lordships heard that learnedly discours'd on by one of the Managers of the House of Commons below: But there is one thing, my Lords, that if my Memory serves me right, that Gentleman omitted, and it is a Matter too that I take to be of the greatest Consequence to any Government whatsoever; I mean the Divine Appointment, or Institution of Government it self; from which Appointment it is, that Men are oblig'd to Obedience to the Magistrate, not only for Wrath, or Fear of him, but for Conscience sake, for Dread of a future Punishment, which is the greatest Security the Magistrate has. And I the rather mention this, because of Notions that some People have of late advanc'd of their own (and have found their Advantage too in so doing) of a Discretionary Obedience only; that is, in my Opinion, whilst the Government is for them, they will be for it; and think themselves bound to obey no longer. It is not necessary, to the Proof of this Divine Authority, to fix the just Time and Place, when and where, and how the Knowledge of it was first communicated to Mankind: It is enough

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that we have it as expressly, as plainly, and as clearly declar'd, as can be put into Words, that it is so.

There is another Thing, my Lords, that in general I would mention to your Lordships, before I come to the Article it self, which may otherwise be the Occasion of some Mistake in this Debate; we are not now judging according to our own Notions of Politicks, or determining how far Resistance or Non-Resistance is lawful. It would be a strange Rule of Judgment, to find any Man Guilty for the sake of one's own private Opinion, and for the establishing a Doctrine which he likes, and his Neighbour does not. But the only Question before your Lordships is, whether, and how far, the House of Commons have made good their Charge against the Doctor. And I take Liberty to say plainly to your Lordships, that, in my Opinion, they have been very far from making good their Charge against him in this Article.

My Lords, To prevent the least Mistake, I shall read the Words of the Article to your Lordships, as they stand in the Impeachment.

He, the said Henry Sacheverell, in his said Sermon preach'd at St. Paul's, doth suggest and maintain, That the necessary Means us'd to bring about the said happy Revolution, were odious and unjustifiable: That his late Majesty, in his Declaration, disclaim'd the least Imputation of Resistance, and that to impute Resistance to the said Revolution, is to cast black and odious Colours upon his late Majesty and the said Revolution.

The Doctor in this Article is charg'd with having maintain'd, *That the necessary Means us'd to bring about the late happy Revolution, were odious and unjustifiable.* To support this, the Commons say, That having asserted the general Proposition of the Unlawfulness of Resisting the Supreme Power, and not having excepted the particular Case of Resistance, that was made use of as a Means to bring about the late happy Revolution; he does thereby reflect both upon the Means, and upon the said Revolution. In Answer to this, there

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‘ have been two Things insisted upon to your Lordships, in Behalf of the Doctor, by his Council: First, That in Cases of such a Nature as this, the Exception is always imply’d in the general Rule; and there was a very unanswerable Instance brought in Proof of this, at least to most of your Lordships; It was the Oath of Allegiance to King James; all those that took that Oath, took it in general Words, and yet such an extraordinary Case as the Revolution was excepted, tho’ not express’d by those that took that Oath. The next was, The Doctor, say they, would have been justly more blam’d, had he mention’d all the Cases of Exception, which extraordinary Cases ought to answer for themselves, whenever they fall out.

‘ And tho’, my Lords, these Two be a full Answer, yet there are two Things more, I think, with Submission, may be added to it, which have not as yet been taken notice of.

‘ The first is, my Lords, That the Proof against the Doctor is drawn by Consequences of the Commoners own making, which he himself disowns; and I appeal to that Reverend and Learned Bench, who are great Masters of Controversy, whether it is not an establish’d Rule amongst all Learned Men that have the least Spark of Ingenuity, That no Man ought to be charg’d with Consequences, let them appear to his Adversary never so clearly and undeniably to follow from his Assertion, when he himself denies those Consequences. This is so known a Maxim, in all Disputes between Protestants and Papists, and between Protestants themselves, that it cannot be deny’d. Now, the Doctor himself denying, as he does, that he had the least Thought of including the Revolution under his general Assertion, or that he apply’d his Doctrine of *Non Resistance* to that Case, cannot, without the highest Injustice, be charg’d with Consequences, which he himself utterly denies.

‘ In the next Place, it is impossible, in my Opinion, to prove that Resistance was made use of as a Means to bring about the late happy Revolution; and consequently is not within the Doctor’s general Maxim.

‘ Means,

' Means, my Lords, is a relative Term, and refers to some End ; and the End and Design of the Prince of *Orange* in his Coming hither, and of those that joined him when he was here, being to have the Nation and Rightful Succession secured by a free Parliament, it follows, that whatever Force was at that time made use of could not be made use of as a Means to bring about an end which was never intended.

' Far be it from me, my Lords, to lessen the great Undertaking to deliver us from Popery and Arbitrary Power ; and though the Glory of that Enterprize is wholly attributed to King *William*, 'tis certain her present Majesty had her Share in it, however that is forgotten, : For give me leave to say, that had not her Majesty countenanced the Undertaking of the Prince of *Orange* with her Assistance, in my Opinion, the Success had been very dubious.

' Now is it possible, my Lords, to imagine, that it was ever the Design of her Majesty, or those that joyned the Prince of *Orange*, to take the Crown off of King *James*'s, and put it upon King *William*'s Head ?

' No, my Lords, the avowed great Design was quite otherwise, as appears by the Declaration itself, which was read below : It was to restore and secure our Laws from the Invasions that had been made upon them by Arbitrary Power : It was to secure that Right that all the World knows the Princess had to the Succession of the Crown, and to have every thing settled by a Free Parliament, and not to make a Revolution by dethroning King *James*. This the Prince himself owns, when he says in his Declaration, *he had no other Design in Coming hither, but a Free Parliament.*

' My Lords, I take it to be of most dangerous Consequence, to judge any Man by Suggestions and Inuendo's : Let what will be said to justify it, it shall never be the Rule of my Judgment,

' Groundless Suggestions, my Lords, have within my Memory been the Pretence of Power to cover illegal Oppression with the Shew of Reason, to the Publick. I will give your Lordships but

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one Instance of it: It was the Case of a Reverend Prelate now in the House; I mean the Archbishop of York: His Grace was then Dr. Sharpe only. It was in the Year Eighty Six; there was an Order directed by way of Letter to the Protestant Bishops to discharge all the Inferior Clergy from preaching upon controverted Points in Divinity. They thought it served the Designs of Popery, then to direct Ministers how they should preach; which was in effect, to forbid them to defend their Religion. This Precedent was taken from an Order in Queen Mary's Time, says the printed Account; when at the same time it was attack'd by the *Romish* Priests with all the Vigour they were capable of, whilst the Popish Sermons and Discourses were printed by Authority. Notwithstanding this Order the Doctor took Occasion in some of his Sermons to vindicate the Church of England, in Opposition to the Frauds and Corruptions of Popery. But this by the Court Emisaries was interpreted much the same way as the Doctor's Sermon is now, to be endeavouring to beget in the Minds of his Hearers an ill Opinion of the King and his Government, by insinuating Fears and Jealousies to dispose them to Discontent, and to lead them into Schism, Disobedience and Rebellion.

My Lords, when the Homilies and Articles, when so many Archbishops and Bishops, and the University, and most of the Foreign Divines too, especially the *Lutherans*, have asserted the same Doctrine of Non-Resistance to the Supreme Power as Dr. Sacheverell has; I think it the hardest Case in the World that this unfortunate Gentleman should thus be singled out and made a Criminal, and a kind of Martyr, enduring the Trial of cruel Mockings, yea, moreover of Bonds and Imprisonment, for asserting the same Doctrine. 'Tis true, *Beza* and *Pareus*, and some others of the *Calvinists*, are of another Opinion; but 'tis known that *Pareus's* Commentary on the 13th of the *Romans* was burnt at Oxford by the Order of King James the First, for asserting that Doctrine.

‘ But there is one thing, My Lords, so astonish-
 ‘ ing in this Prosecution, that I cannot but take No-
 ‘ tice of it: Those who were at Man’s Estate, at the
 ‘ Revolution, know how industrious on the one side,
 ‘ all that were Friends to King *James* were, to put
 ‘ his leaving the Nation then upon the Foot of
 ‘ Force and Resistance, as thinking this the strongest
 ‘ and best Argument to justify his withdrawing him-
 ‘ self from his People; they wrackt their Brains to
 ‘ find out Arguments to convince Men that his Life
 ‘ was manifestly in Danger, by staying here; and
 ‘ that it was for the sake of that and his Liberty that
 ‘ he was forced to withdraw; and that his With-
 ‘ drawing was just, being an Act of Necessity, and
 ‘ not of Choice.

‘ On the other side, those that were Friends to the
 ‘ Revolution made it their Business to perswade the
 ‘ World, that all this was but a Colour and Pre-
 ‘ tence, and that the Fact was quite otherwise; that
 ‘ the Sense and Conviction King *James* had of what
 ‘ he had done, prevailed upon him rather to throw
 ‘ off the Government than concur with a Free Par-
 ‘ liament.

‘ That this was the only Foot they then put it up-
 ‘ on; and that it was not then put upon the Foot
 ‘ of Forfeiting the Government by Male-Admini-
 ‘ stration; if any Man denies, I appeal to the Pa-
 ‘ pers that were then writ, and are now in Print, on
 ‘ this Subject.

‘ This being so, it is very strange to see so great
 ‘ an Alteration in Mens Notions of Things; and
 ‘ that now, after our Constitution has maintained
 ‘ it self upon this Foot, against all Designs and At-
 ‘ tempts that have been made upon it, for above
 ‘ twenty Years, those very Men, and that Party,
 ‘ who endeavoured to place the Revolution then,
 ‘ upon King *James*’s Voluntary Desertion, which
 ‘ they call’d *Abdication*, should now, without any
 ‘ Reason given be for changing that Foundation,
 ‘ and do all they can to put it upon King *James*’s
 ‘ Foot of Force and Resistance. What, my Lords,
 ‘ are we endeavouring after, twenty Years, to make
 ‘ King *James*’s Title better now than any of his
 ‘ Friends could make it then, and not only finding

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out Arguments they never thought of, but impeaching any that dare so much as question the Truth and Force of them? This my Lords, seems very strange.

My Lords, I cannot but take Notice to your Lordships of what was said by that Noble Lord who spoke last. because to me it appears to be a Matter of the last Consequence, to the Honour of her present Majesty. He told your Lordships, that the best Title her Majesty had to the Crown was her Parliamentary-Title. I must take Liberty to affirm the quite contrary; and that, in my Opinion, the best Title her Majesty has is her Hereditary Title; tho' I deny not but that the Act of Parliament is a Strengthening and Confirmation: But I deny a Parliamentary Title to be the only or the best Title that the Queen has to the Crown She wears. And in saying this I do not fear the malicious Reflections of having a squinting Regard to the Title of any Person on the other side the Water; for in affirming (as I now do to your Lordships, that her Majesty is my Rightful and Lawful Queen, by Right of Inheritance, and as she is Daughter to King James the Second) I do in so many Words affirm also, that there is no other Person the Rightful and Lawful Heir to King James but herself. And if the present Impeachment of Dr. Sacheverell shall have this Effect (as I hope it will) to convince the Nation of the undoubted Truth of her Majesty's Right of Inheritance to the Crown, (a Matter now so industriously opposed) the Security this will bring to her Majesty's Person and Crown, and to the Succession in the Protestant Line, and illustrious House of Hannover afterwards, shall prevail with me easily to pardon any warm and unguarded Expressions, that the Doctor may here and there have dropt and made use of in any of his Discourses.

After a long Debate, which lasted till past Nine in the Evening, this Question was propos'd, that the Commons had made good the first Article of Impeachment against Henry Sacheverell, Doctor in Divinity; and after further Debate thereupon, the Que-
: stion

tion was put, whether this Question should be now put, which being Resolved in the Affirmative, Forty-Eight Lords enter'd their Dissent, Because they conceived, there were no Reflections therein contained on the Memory of the late King *William*, nor the *Revolution*; and that there was no Offence charged therein upon Dr. *Sacheverell* against any known Law of the Land.

Then the main Question was put, That the Commons have made good their first Article of Impeachment against *Henry Sacheverell*, Doctor in Divinity, which being also Resolved in the Affirmative, several Lords enter'd the following Protest.

Dissentient;

Because by the Laws of the Land, the Laws of Parliament, and the inherent Right of *Peerage*, every Peer is to Judge for himself, both of the Fact, as well as of the Law, and can't be precluded from it, by any Majority which indeed must determine the Case in Respect of the Criminal, but never did, nor can preclude any Lord from Voting, the Party accus'd, *Guilty* or not *Guilty* of the Fact, as well as of the Crime of such Fact;

<i>Suffex,</i>	<i>Rocheſter,</i>	<i>Stawell,</i>
<i>Yarmouth,</i>	<i>Plymouth,</i>	<i>Gernſey,</i>
<i>Jerſey,</i>	<i>Howard,</i>	<i>Beaufort,</i>
<i>W. Ceſtriens,</i>	<i>Leigh,</i>	<i>Denbigh,</i>
<i>Conway,</i>	<i>Thanet,</i>	<i>Scarſdale,</i>
<i>H. London,</i>	<i>Northampton,</i>	<i>R. Ferrers,</i>
<i>Tho. Roſſen,</i>	<i>Nottingham,</i>	<i>North & Grey,</i>
<i>Geo. Bath & Wells,</i>	<i>Scarborough,</i>	<i>Osborne,</i>
<i>Berkſhire,</i>	<i>Weymouth,</i>	<i>Abington.</i>

The next Day the Lords took into Conſideration the ſecond Article of the Commons Impeachment againſt Dr. *Sacheverell*, and the Biſhop of *Lincoln* open'd the Debate with this fine Speech.

March 17.

The Biſhop
of Lin-
coln's
Speech to
the Second
Article.

17.

My Lords,

IT was the Miſfortune of ſome of our Bench, that in the Proſecution of the foregoing Article of this Impeachment, a Noble Lord, who ſpoke ve-

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ry early to that Point, was pleased not only to Anticipate our Judgment in that Particular; but to do it with this pretty Hard Reflection, That in giving it, as He suppos'd we Would, We should *Vote contrary to our own Doctrine*. It is not improbable but that, in the Course of the present Debate, another Arrow may be drawn out of the same Quiver to shoot at us; and we may be told, that in defending of the † *Toleration granted by Law to the Dissenters*, we shew our selves to be Apostates from our own Order. But from both these Imputations I am perswaded both our *Writings* and our *Actions*, will secure Us in the Judgment of all indifferent Persons.

The Substance of this *Second Article* of the Impeachment, which your Lordships are now about to enter upon, is this: That Dr. S. in his Sermon, doth Suggest and maintain, that the Toleration, granted by Law, is Unreasonable, and the Allowance of it Unwarrantable. That he is a False-brother with relation to God, Religion or the Church, who defends Toleration, and Liberty of Conscience. That Q. Elizabeth was deluded by Archbishop Grindal to the Toleration of the Genevian Discipline: And that it is the Duty of Superior Pastors to thunder out their Ecclesiastical Anathema's against Persons entitled to the Benefit of the Toleration; and he insolently dares, or desires, any Power on Earth to Reverse such Sentences. This, my Lords, is the Sum of this part of the Commons Charge against Dr. S. and I think the Managers have fully made it out; not by bare Intendments, by unnecessary Implications, and forced Constructions; not by piecing together broken Sentences, and Conjoining of distant, and independant Passages (as he has unjustly Complain'd;) but by the plain Words, and necessary Meaning, of a very great part of his Discourse.

But before I trouble your Lordships with the Proof of this, give me leave, upon this Occasion tho

* See Dr. S's Answer to the 1st Article of Impeachment. His Speech, Fol. Pag. 23.

† Dr. S's Sermon, at St. Paul's, Pag. 8.

(tho' it be no part of the *Impeachment* laid against the *Preacher*) to observe to your *Lordships* what a strange Account he has thought fit to publish of that other popular *Engine*, which, he says, has been made use of * to pull down the Church, and which he calls by the Name of *Comprehension*.

The Person who first concerted this supposed Design against our Church, was the late most Reverend Dr. *Sancroft*, then *Archbishop of Canterbury*. The Time, was towards the End of that unhappy Reign, of which so much was said upon the Occasion of the foregoing Article. Then, when we were in the height of our Labours, defending the Church of England against the Assaults of *Papery*, and thought of nothing else; that Wise Prelate foreseeing some such Revolution as soon after was happily brought about; began to consider how utterly unprepared they had been at the Restoration of King Charles the Second, to settle many things to the Advantage of the Church; and what a happy Opportunity had been lost for want of such a previous Care, as he was therefore desirous should now be taken, for the better and more perfect Establishment of it. It was visible to all the Nation, that the more moderate Dissenters were generally so well satisfied with that Stand which our Divines had made against *Papery*, and the many Unanswerable Treatises they had publish'd in Confutation of it, as to express an unusual Readiness to come in to us. And it was therefore thought worth the while, when they were deliberating about those other Matters, to consider at the same time what might be done to Gain Them, without doing any Prejudice to Our selves.

The Scheme was laid out, and the several Parts of it were committed, not only with the Approbation, but by the Direction of that Great Prelate, to such of our Divines as were thought the most proper to be intrusted with it. His Grace took one Part to Himself: Another was committed to a then Pious and Reverend † Dean, afterwards a Bishop of our

* Serm. Pag. 16, 17.

† Dr. Patrick, Bishop of Ely.

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our Church. The reviewing of the *Daily Service* of our *Liturgy*, and the *Communion-Book*, was referred to a Select Number of excellent Persons, † two of which are at this time upon our Bench; and I am sure will bear Witness to the Truth of my Relation. The Design was, in short, this: To *improve*, and, if possible, to *inforce* our *Discipline*; to *Review*, and *Enlarge* our *Liturgy*; by *Correcting* of *some things*, by *Adding* of *others*; and, if it should be thought advisable by Authority, when this Matter should come to be legally consider'd, first in *Convocation*, then in *Parliament*; by leaving some few *Ceremonies*, confess'd to be *Indifferent* in their *Natures*, as *Indifferent* in their *Usage*, so as not to be necessarily Observed by Those who made a *Scruple* of them; ‡ till they should be able to Overcome either their Weaknesses or Prejudices, and be willing to comply with Them.

How far this good Design was not only known to, but approved of by, the Other *Fathers* of our Church; that famous *Petition*, for which Seven of them were sent to the Tower, and which contributed so much to our *Deliverance*, may suffice to shew. The *Willingness* they there declared of *coming to such a Temper* as should be thought fit with the *Dissenters*, when that Matter should be Consider'd, and Settled, in *Parliament* and *Convocation*; manifestly referr'd to what was then known to *Severals*, if not *All* of the *Subscribers*, to have been at that very time under Deliberation. And that nothing more was intended than I have before said, is as evident from what was publickly declared in a *Treatise* purposely written to recommend the Design when it was brought before the two *Houses* of *Parliament*, in the Beginning of the late *Reign*; and *Licensed* by the *Authority* of a Noble Peer, now present, who was at that time *Secretary of State*: In the very Beginning of which there is this remarkable Passage, which I shall beg Leave to read to your Lordships: * No Alteration, that I know of, is intended,

† The Archbishop of York and Bishop of Ely.

* A Letter to a Member of Parliament in favour of the Bill for Uniting Protestants; Licensed by the Command of the Earl of Shrewsbury, April 1, 1689. Ja. Vernon. Pag. 2.

intended but in things declared to be Alterable by the Church its self. And if Things Alterable be Altered upon the Grounds of Prudence and Charity; and Things defective be supplied; and Things Abused be Restored to their proper Use; and Things of a more Ordinary Compolition, Revised and Improved; whilst the DOCTRINE, GOVERNMENT, and WORSHIP of the Church remain Intire, in ALL the Substantial parts of Them; We have all reason to believe that this will be so far from Injuring the Church, that, on the contrary, it shall receive a very great Benefit by it.

And now, my Lords, let any impartial Person consider, what was there in such a Design that could be justly esteem'd prejudicial to the Constitution of our Church? Wherein would our Canons have suffer'd, if Those already made, had been more strongly Enforced; and some New Ones had been Added, for the Reformation of Manners; for the better punishing of Notorious Offenders; and to render our Publick Discipline more strict, and severe? This we have been Wishing for, ever since the Reformation: What Harm would it have done our Church had it now been Effected? Or how would our excellent Liturgy have been the worse, if a few more doubtful Expressions had been Changed for plainer, and clearer; and a passage, or two, which however capable of a just Defence, yet in many Cases seem harsh to some even of our Own Communion, had either been wholly left at liberty, in such Cases, to be Omitted altogether; Or been so qualified as to remove all Exception against Them in Any Case. If such Collects, as are not yet adapted to the Festivals, or Gospels, to which they belong; had been made more full, and apposite to Both; If some of the Occasional Offices had been Enlarged; and New Ones Added: If, for Example, there had been a greater Variety of Prayers, Psalms, and Lessons appointed by Authority, instead of the Compositions of private Persons, now necessarily to be used, for the Visitation of the Sick; and New Forms composed for the Use of Prisoners for Debt or Crimes: For the greater Solemnity of Receiving Proselytes into our Church; of Reconciling Penitents to it; and of Casting

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‘ casting Notorious Offenders out of it. These were
 ‘ some of the main Things that were then design’d:
 ‘ As for any Favour to the *Dissenters*, none that I
 ‘ know of, was intended, but what should have
 ‘ been entirely consistent with our *own Constitution*:
 ‘ And I hope it will not be thought any Crime for
 ‘ the *Bishops*, and *Clergy* of our Church, to be willing
 ‘ to enlarge its *Communion*, by any *Methods* which
 ‘ may be likely to gain *Others*, and yet not injure
 ‘ our *own Constitution*.

‘ But to satisfy your *Lordships* that nothing could
 ‘ have been design’d to the *Detriment* of the Church;
 ‘ be pleas’d farther to consider, how what was thus
 ‘ at first projected in private, by select Persons, and
 ‘ in a difficult Time, when no Countenance was
 ‘ to be expected from Authority to any purpose;
 ‘ was afterwards, if ever, to have been brought to
 ‘ Maturity. And this being a matter of *Publick*
 ‘ Notice, the Relation of it will admit of no Ex-
 ‘ ception.

‘ No sooner were their late Majesties, of Glori-
 ‘ ous Memory, seated in their Thrones, but this
 ‘ Design was openly espous’d by them. A *Commis-*
 ‘ *sion* was issu’d out, under the *Great Seal of England*,
 ‘ to a large number of *Bishops* and other *Eminent Di-*
 ‘ *viners*, to meet together, and to consider of these
 ‘ Matters. What they did, having not had the Ho-
 ‘ nour to be one of them, I shall not presume to say:
 ‘ This we know, that whatever they did, it was to
 ‘ have been carried on from Them to the *two Con-*
 ‘ *vocations of Canterbury and York*: And after it should
 ‘ have pass’d their Approbations, it was finally to
 ‘ have been laid before the *two Houses of Parliament*,
 ‘ and so to have gone on to the *Royal Assent*. This,
 ‘ my Lords, was the Course thro’ which all that
 ‘ was design’d, or should have been done in this
 ‘ Matter, must have pass’d; and I am perswaded
 ‘ nothing very injurious to our Church’s Welfare will
 ‘ ever be able to pass through all these.

‘ Having thus given your *Lordships* a true Ac-
 ‘ count of that *Design* which Dr. S. mentions under
 ‘ the Name of *Comprehension*; I doubt not but that
 ‘ your *Lordships* will now be amaz’d to hear, what
 ‘ a false and scandalous Report he has made of it.

‘ In

In the 16th Page of his *Sermon* he thus speaks of it: "The worst Adversaries of our Church, says he, were to be let into her Bowels under the Holy Umbrage of *Sons*; tho' they neither BELIEV'D her FAITH; OWN'D her MISSION; SUBMITTED to her DISCIPLINE; or COMPLY'd with her LITURGY. For the admitting this *Trojan Horse*, big with Arms and Ruin into our Holy City, the *Strait Gate* was to be laid quite open; her Walls and Enclosures to be pull'd down; and a High-road made in upon her Communion. Her Articles to be taught the Confusion of all Senses, Nations, and Languages.

This, my Lords, is a very strange Representation of so good a Design, as that I before recount-
ed to your Lordships. Yet this Representation did this bold Man, as confidently, as falsely, make of it in the *House of God*; and publish to the View of the whole Nation. For thus he goes on: "This pious Design of making our *House of Prayer* a Den of Thieves, of Reforming our Church into a Chaos; is well known to have been attempted several times in this Kingdom, and LATELY WITHIN OUR MEMORY; when All Things seem'd to favour it, but that Good Providence which so happily interpos'd against the Ruin of our Church, and blasted the long projected Scheme of THESE ECCLESIASTICAL ACHITOPHELS". To say nothing more of the Design it self, of which I have given an Account before; Pray, my Lords, who were the ACHITOPHELS that projected it; and must have concurr'd to the Execution of? I have already nam'd the first and chiefest of them, the late Archbishop SANCROFT. The next who openly approv'd of it, were the Commissioners who met upon it in the *Jerusalem-Chamber*: A Set of Men, than which this Church was never, at any one time, blest'd with either wiser or better, since it was a Church: * Who it was that Presided in the Convocation of this Province, to which this Project was next to be referr'd; and who, had it gone on,

* The Lord Bishop of London.

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on, must have had a chief Hand in the Management of it, I need not say. Everyone who knows any thing at all of his *Character* (and I am sure your Lordships are none of you Strangers to it) knows him to be too good a Friend to the *Establishment* of our Church, to have been capable of being engag'd in such a *Villanous Design*, as Dr. S. pretends, for the Subversion of it. Or had he been otherwise, yet still the major Part of that Venerable Body must have been as great *Abettors* as himself, or no Harm could have been done by him. Pardon me, my Lords, if the Course of my Argument obliges me to rise yet one Degree higher, and to say, that the like *Majority* of your Lordships, and of the *House of Commons*, together with his late Majesty, must All have come into the Plot against the Church; or all the Skill and Malice of the *Inferior Abettors*, would have signify'd nothing. And what Censure that Man deserves who has the Conscience to insinuate to the World, that the *Bishops*, the other *Clergy*, the *Convocation*; the *Parliament*, nay, and the late King himself, our Glorious Deliverer; or at least the greater part of all these were engag'd in a Project so *Monstrous*, so *Romantick*, and *Aburd*, (for here I am content to use his own Expressions) "that it is hard to say whether it had more of Villany or Folly in it." I shall submit it to your Lordships to consider. All I design in taking notice of this part of his *Sermons*, is only to clear the Memory of many excellent Persons who are dead; and to vindicate the Reputation of some still living, and in the highest Stations in the Church; from that Load of Infamy which this Rash Man has with so much Virulence of Speech cast upon them: And to let your Lordships see that nothing was intended in all that *Unfair*, but what was both Honourable to those who engag'd in it; and I am perswaded would have been for the Interest and Peace of our Church and State, had it been accomplish'd.

I come now to that which is the proper Subject of the present Debate; namely, to offer such Passages to your Lordships, as I humbly conceive do plainly and fully make out the *Second Article* of the

the

the *Commons Impeachment* against the *Preacher*; and prove him to have spoken with more Freedom than he ought, not only of the *Dissenters themselves*, but of the *Toleration*, (or as he had rather we should call it) the *Indulgence* granted by *Law* to them.

And here, as I remember it was not denied either by his *Council* or *Himself*, but that he had spoken, and spoken with Warmth too, against *Toleration*. The only Question is, What the *Toleration* is against which he spake? Whether it was that which has been granted by *Law* to the *Dissenters*? Or whether it was only against a *General Toleration* of *Atheists, Deists, Socinians*; Men of no Principles, perhaps of no Religion? Or at most against such of the *Dissenters* as *Abused* the *Indulgence* granted them by *Law*; and made use of it to Purposes not at all warranted by it? The former of these the *Commons* charge upon him: The latter he pretends; the better to clear himself of their Charge.

To determine this Point I must in the first Place beg leave to observe, that among the several sorts of *False Brethren* enumerated by the *Preacher* with relation to *God, Religion, or the Church*; the Second kind is of those who give up any Point of the Churches Discipline and Worship, Page 8. To this he adds, that those are *False Brethren* who defend *Toleration and Liberty of Conscience*. And that we may the better know what *Toleration and Liberty of Conscience* he means; He specifies the very Persons to whom he refers, and of whom he speaks; the *DISSENTERS*: "If says he, to comply with the *DISSENTERS* both in publick and private Affairs as Persons of tender Consciences and Piety, to promote THEIR Interests in Elections; to sneak to THEM for Places and Preferment, to defend *Toleration and Liberty of Conscience*, and under the Pretence of Moderation, excuse THEIR SEPARATION, are the Criteria of a True Church Man; God deliver Us All from such False Brethren. The *Toleration* therefore, and *Liberty of Conscience*, against which he speaks, must necessarily be that of the *DISSENTERS*; those who SEPARATE from our Church: He names no others; but carries the same

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‘ same Persons thro’ his whole Sentence, both before
 ‘ and after those Expressions. Either therefore it is
 ‘ no Reflection upon the *Act of Indulgence* to say
 ‘ that all those who defend the Toleration of the DIS-
 ‘ SENTERS, and are for allowing *Liberty of Consci-*
 ‘ *ence to THEM*, are false Brethren with relation to
 ‘ God, Religion or the Church, Page 6, 7, and such a
 ‘ against whom we ought to pray to God to deliver Us
 ‘ All, Page 8: Or if this cannot with any reason be
 ‘ either said, or supposed, then it must remain that
 ‘ Dr. S. has here said what the Commons charge him
 ‘ withal; and that in express terms, viz. That He
 ‘ is a false Brother who defends the Toleration, not of
 ‘ Deists, Socinians, and I know not what Monsters
 ‘ of Irreligion, but of the DISSENTERS: Those
 ‘ same Dissenters who by the *Act of Indulgence* have
 ‘ right to that *Liberty of Conscience* of which this
 ‘ Gentleman speaks so very hardly; and prays God
 ‘ to Defend Us from all such False Brethren as shall
 ‘ presume to excuse it.

‘ But not to insist upon a single Passage which may
 ‘ be supposed to have dropt unwarily from him: In
 ‘ the Second Part of his Sermon, He proceeds to shew
 ‘ the great Perils and Mischiefs of those False Brethren,
 ‘ against whom He was before speaking, both to
 ‘ the Church and State: pag. 15. And that these a-
 ‘ gain are the same Persons who have a right to
 ‘ the Legal Indulgence is so very clear, that I do not
 ‘ see how it is possible for any one to make the least
 ‘ doubt of it. Pag. 18. He describes them as Oc-
 ‘ casional Conformists to the Church. Pag. 19. As those
 ‘ who had the Old Leaven of their Fore-fathers still
 ‘ working in them: And, in the next Sentence, He
 ‘ expressly takes notice of the Religious Liberty which
 ‘ our Gracious Sovereign has INDULGED them. This
 ‘ in the very same Sentence He calls THEIR TO-
 ‘ LERATION; (for the Doctor himself is not tied
 ‘ up to any Niceties of Expression; He may call it
 ‘ so, tho’ Others may not:) These are the Persons
 ‘ and the only Persons, of whom he speaks in all that
 ‘ part of his Discourse; let us see what he says of the
 ‘ Indulgence granted by Law to them.

‘ And first, he tells us, Page 18. “ That it can-
 ‘ not be deny’d, but that tho’ they do submit to the
 ‘ Government,

Government, their Obedience is forc'd and constrain'd
 and so treacherous and unsteady, as never to be trusted.
 That they are as much Occasional Loyalists to the State,
 as they are Occasional Conformists to the Church; and
 will betray either whenever it is in their Power; and they
 think it for their Advantage. That nothing but a Sottish
 Infatuation can so far blind our Eyes and our Judgments;
 as to make us believe that the same Causes should not pro-
 duce the same Effects: that the same Latitudinarian and
 Republican Notions should not bring forth the same Re-
 bellious and Pernicious Consequences. That we shall
 be convinced to our Sorrow, if we don't apprehend that the
 Old Leaven of their Forefathers is still working in the
 present Generation; and that this Traditional Poyson
 still remains in this brood of Vipers to sting us to Death.
 That they have advanced themselves from the RELIGIOUS
 LIBERTY which our Gracious Sovereign has INDULGED
 them, to claim a Civil Right; and to jostle the Church
 out of Her Establishment, by boisting THEIR TOLERA-
 TION into its Place. That to convince us what alone will
 satisfy them, they insolently demand the Repeal of the Cor-
 poration and Test Acts, which under Her Majesty is the
 only Security the Church has to depend upon: And
 which (if we may believe him) They have so far eluded
 by their abominable Hypocrisie, as to have undermin'd her
 Foundations, and indanger the Government, by filling
 it with its professed Enemies. His Meaning is plainly
 this; that the Dissenters, whom we are so foolish as to
 Indulge, are a parcel of False and Treacherous Persons;
 Enemies both to our Church and State; and such as if
 not timely suppress'd, will convince us to our Sorrow
 of the Weakness and Folly of taking such Vipers into
 our Bosom, as watch only for a fair Opportunity to
 sting us to Death.

But what then must we do to secure our selves
 against these dangerous Enemies? Why first, the Doctor
 assures us, that they are never to be gained by any fa-
 vour that can be shewed to them. "That He must
 be very Weak, or something Worse, that thinks or pre-
 tends that the DISSENTERS (for of These he still speaks)
 are to be won over by any other GRANTS and INDUL-
 GENCES than giving up our WHOLE CONSTITUTION.
 This shews the folly of trying the soft way of Indul-
 gence with them: And therefore he concludes; That
 He who recedes the least little from it (our Constitution) to

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"satisfie, or ingratiate with these Clamorous, Insatiable, Church-devouring Malignants, knows not what Spirit they are of; or be ought to them who is the true Member of our Church.

' This I think comes fully up to what is objected against Him; namely, that Dr. S. does in his Sermon suggest and maintain, that the Toleration granted by Law is Unreasonable, and the Allowance of it Unwarrantable. For so it needs must be, if the Dissenters be such Men as he tells us they are; and will be satisfied with nothing less, than he assures us they will. And yet what next follows, is, if possible, still more express to the same purpose. It is objected against him by the Commons, that he had affirmed in his Sermon, That " Queen Elizabeth was deluded by Archbishop Grindall, (whom he scurrilously calls a False Son of the Church, and a perfidious Prelate;) to the Toleration of the Genevian Discipline. The Fact is not denied, but the Expressions are excused; and the Truth of the Allegation is endeavour'd to be made out by Historical Memoirs: And it is hoped your Lordships will not account it a High Crime and Misdemeanour to have spoken too hardly of a Prelate who has been so many Years in his Grave.

' I am, my Lords, very far from thinking that the Commons ever intended to charge Dr. S. as guilty of High Crimes and Misdemeanours for speaking scandalously of that Good Archbishop. Their Concern was not for His Person, what Respect soever they may have had (as all true Friends of the Reformation must needs have a very great One) for his Memory. But the Truth of the Matter is this. The Preacher complains Page 19 of his Sermon, that Queen Elizabeth was deluded by Archbishop Grindall to the Toleration of the Genevian Discipline. " He adds, that the Archbishop was a perfidious Prelate for deluding her to Tolerate that Discipline. That she found it such a Headstrong and Encroaching Monster, that in Eight Years she saw it would endanger the Monarchy as well as the Hierarchy: And like a Queen of true Resolution, and pious Zeal for Both, she pronounced that such were the restless Spirits of that factious People *, that no quiet was to be expected from them, till they were UTTERLY SUPPRESS'D. That this therefore like a prudent Princess she did by wholesome Severities; and the Effect was, that by this means the Crown for many Years sat easie and flourishing on her Head,

" Head. But that her Successor King James did not fol-
 " low her Wife Politicks: And the Result was as deplo-
 " rable on his Side as it had been Glorious on hers: For
 " by this Means, " His Son fell a Martyr to their Fury:
 " His unhappy Offspring suffered such disastrous Calamities,
 " as made the Royal Family One continued Sacrifice to their
 " Malice. And all this for want of those wholesome Seve-
 " rities which the wise Queen his Predecessor had used uter-
 " ly to suppress that Factions People.

" This, my Lords, is the Doctor's Narrative, and I
 " have given it you in his own Words. The Application
 " is plain and home. The Dissenters are now again Tol-
 " erated, as they were heretofore under Queen Elizabeth.
 " There is a perfidious Prelate (perhaps in his Opinion a
 " great many) who, like Archbishop Grindall, help to de-
 " lude another Queen into the Toleration of them. These
 " EIGHT YEARS past (for the very number of Years
 " is remarkable) Her Majesty has born the restless Spirits
 " of this factious People; and had no quiet from them. It
 " is now high time for Her to alter her Measures, as
 " Queen Elizabeth wisely did. It is the only way to
 " make the Crown sit Easie and Flourishing upon her Head.
 " And if this be not plainly to speak out what he would
 " have done with the Act of Indulgence, I must despair of
 " ever being able to know any Man's Meaning by his
 " Expressions. Such Examples are not only the most like-
 " ly to inforce, but the most proper and lively Methods
 " to convey a Man's Sense, even to the dullest Capacity;
 " and make him clearly perceive if not what he ought,
 " yet I am sure what the Preacher would have him to do:
 " The truth is, so plain was his Meaning, that He
 " Himself began to fear that he had gone a little too far
 " in what he had said of this Matter. And, for that rea-
 " son, He added that One, poor Sentence which imme-
 " diately follows, and of which he has made such good
 " Use since; " That he would not be Misunderstood as if He
 " intended to Cast the least Invidious Reflection upon that
 " Indulgence the Government had condescended to give
 " them, (the Dissenters:) But what then did He intend by
 " all this bitter Invective against them; and that very
 " instructive piece of History with which He concluded
 " it? He " has told Us that the Dissenters are False-Bre-
 " thren; Destructive both of our Civil and Ecclesiastical
 " Rights. That they are Occasional Loyalists to the State,
 " as well as Occasional Conformists to the Church; and
 " will betray both whenever they have it in their Power, and
 " it shall be their Interest, to do it. That it must be a
 " rash Infatuation to believe that the same Latitudinarian;

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“ and Republican Notions, should not bring forth the same
 “ Rebellious, and Pernicious Consequences: That we
 “ shall be convinc’d to our Sorrow, if we do not apprehend that
 “ the Old Leaven of their Fore-fathers, is still working in
 “ the present Generation: That they have already made
 “ dangerous Encroachments upon the Government; and
 “ publish’d Treasonable Reflections upon Her Majesty:
 “ That they have advanc’d their Indulgence into a Civil
 “ Right, and justled the Church out of Her Establishment,
 “ by hoisting their Toleration into its place: That They have
 “ by their abominable Hypocrisie undermined the Foundation
 “ of the Church, and endanger’d the Government, by filling
 “ it with its profess’d Enemies: That they are Chamo-
 “ rous, Insatiable, Church-Devouring Malignants;
 “ Whom no other Grants, or Indulgencies can win over but
 “ the giving up our whole Constitution: That ever since
 “ their first unhappy Plantation in this Kingdom, they have
 “ Improved, and Rose upon their Demands in the Permif-
 “ sion of the Government: That Queen Elizabeth, who
 “ Tolerated them for eight Years together, was forc’d at last
 “ to suppress Them by Wholesome Severities: That this
 “ made her Crown sit Easie and Flourishing on her Head;
 “ whereas King James the First by not pursuing the like Me-
 “ thods ruined the whole Royal Family: That nothing better
 “ could be expected from such Miscreants, Begot in Rebel-
 “ lion, Born in Sedition, and Nursed up in Faction:
 “ All this Dr. S. has said in these very plain, and emphat-
 “ tical Words. If He did not intend by all this to shew
 “ the Necessity of Suppressing these Factious People, these Vi-
 “ pers, who are just ready to sting all to Death, I would be
 “ glad to know what it was that He did intend by it?
 “ Could he say all this, and with such a singular Strain
 “ of impetuous Eloquence, and yet “ not intend to cast
 “ so much as the least invidious Reflections upon that In-
 “ dulgence which the Government has thought fit to give
 “ them? I must freely own, my Lords, I could never have
 “ imagined this: Nay, I must be excused if I add, That
 “ notwithstanding this poor Evasion, I cannot yet believe
 “ it. But the Act of Indulgence stood in his way: That
 “ Act the Queen had declared her Resolution to maintain:
 “ Your Lordships and the Commons had often shewn Your
 “ Steadiness to the same Effect: Even Those who pres-
 “ sed so violently against Occasional Communion, yet
 “ thought it necessary to say, in the very Preamble of that
 “ Bill, that the Act of Indulgence ought inviolably to be Ob-
 “ served: And therefore Dr. S. thought it needful to add
 “ somewhat that He knew would not take off any thing
 “ from the Force of his Invektives; yet might serve to ex-
 “ cuse



'cuse the Severity of it; and be made use of to the pur-
 'pose it now is, if He should chance to be call'd to Ac-
 'count for it. This, my Lords, I conceive to be the
 'true Meaning of that *one single Passage*, so utterly repug-
 'nant to all the rest of his *Discourse*: Nor can I put any
 'other Interpretation upon it. For had I the same Opi-
 'nion of these *Men*, their *Principles*, and their *Designs*,
 'that Dr. S. has; I should be so far from thinking them
 'fit to be *Indulged*, that I should account it my *Duty*, and
 'the *Duty* of every true Friend to our *Church* and *Govern-*
 'ment, to take the same *Methods of Wholesome Severities*
 'with them that *Queen Elizabeth* did: And I hope, by
 'God's Grace, that should I be question'd for it, I should
 'not dissemble my Opinion; but should have the Cou-
 'rage honestly to own it, whatever I might chance to
 'suffer for it.

'I have, my Lords, insisted the longer upon this Part
 'of the *Doctors's Sermon*, because I would not willingly
 'fall under the Censure of picking out *dis-jointed Senten-*
 'ces, and putting them together from *distant Places*, that
 'so I might the better draw a *Sense* out of them, contrary
 'to his *Meaning*. I shall trouble your Lordships but with
 'one part more of it, to the same Effect, *Pag. 24, 25*.
 'Where he comes to consider, *What should be the Result*
 'of his long *Discourse*? I shall read it to Your Lordships in
 'his own Words, *Pag. 25*. "Let us therefore (says he)
 "as we are unhappy Sharers of St. Paul's Misfortune,
 "to have our Church in *Perils amongst False-Brethren*, fol-
 "low his Example, and Conduct in a Parallel Case. He
 "tells us in his *Epistle to the Galatians*, c. 2. That he
 "was obstructed, and pester'd in preaching the Gospel,
 "by *False-Brethren unawares brought in, who came privily*
 "to spy out his Liberty which he had in Christ Jesus, that they
 "might bring him into Bondage. To whom he gave place by
 "Subjection, no not for an Hour, that the truth of the Gospel
 "might continue with the Church. Doubtless this brave
 "and bold Resolution did the Apostle take by the pe-
 "culiar Command, and Inspiration of the *Holy Ghost*.
 "And yet if O U R DISSENTERS had liv'd in those
 "times, they would have branded him as an *Intemperate*,
 "Hot, Furious Zealot; that wanted to be sweetned by the
 "gentle Spirit of *Charity*, and *Moderation* forsooth.

'Here we have again the *Persons* of whom the Prea-
 'cher speaks: They are O U R DISSENTERS; not the
 'Deists, Atheists, Socinians, Hypocrites, of our times. And
 'accordingly, what follows, plainly refers to them: For
 'thus he goes on, "Schism and Faction are Things of
 "Impudent and Incroaching Natures; Take *Permissions*

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“ for Power; and advance a TOLERATION, (for so
 “ the Doctor is still at Liberty to call, what he must
 “ stile INDULGENCE) immediately into an *Establish-*
 “ *ment*. Your Lordships will please to observe, by the
 “ way, that this was the very thing he had before said of
 “ these same Persons, *Pag. 19.* and thereby plainly shews,
 “ that he speaks in both Places of those DISSENTERS
 “ who have a Right to the TOLERATION, or IN-
 “ DULGENCE, granted by Law to *Protestant Dissenters*.
 “ Let us now hear what he would have done with them.
 “ Why he would have them “ treated like *Growing Mil-*
 “ *chiefs, or Infectious Plagues; kept at a distance, lest the*
 “ *deadly Contagion spread*. And the Method he propo-
 “ ses in order thereunto, is this, “ Let us therefore, says
 “ he, *have no Fellowship with THESE WORKS of Dark-*
 “ *ness; but rather reprove them. THESE WORKS,*
 “ *Schism and Faction; For of these, and These only, He here*
 “ speaks. This is the *Peoples Part; and Inferiour Pastors:*
 “ As for the *Superiour Pastors, let them do their Duty,*
 “ *in thundring out their Ecclesiastical Anathema's against*
 “ THEM. Against Whom, my Lords? *What Works of Dark-*
 “ *ness?* Still the same he before mention'd: OUR DIS-
 “ SENTERS, Those are the Persons: Their *Schism and*
 “ *Faction; Those are the Works of Darknes* to which he re-
 “ fers. “ And let any Power on Earth dare reverse a Sen-
 “ tence ratify'd in Heaven.

“ This, my Lords, was the last part of the *Commons Im-*
 “ *peachment upon this Second Article:* And 'tis so plainly
 “ expressed by the Preacher in this Passage, that I confess
 “ it amazes me to consider with what Positiveness He
 “ has thought fit to deny that any such thing was meant
 “ by Him. The Persons whom the *Superiour Pastors* are
 “ summon'd to *Anathematize*, are the same with those,
 “ whom the *Other Pastors and People*, are to have no *Fellow-*
 “ *ship* withal, but to *Reprove*. These, by the necessary
 “ Connexion of his Discourse, are OUR DISSENTERS;
 “ whose *Works of Darknes*, He states to be *Schism and Fa-*
 “ *ction:* Those *Dissenters* to whom the *Government* hath
 “ granted a TOLERATION; as himself, in the same
 “ Passage takes notice: Which being so; I shall leave the
 “ Doctor to Deny and Protest, as He pleases: but when all
 “ is done, His Own Words will rise up against Him, and
 “ appear to every impartial Person so plain, and posi-
 “ tive, as to put it beyond the Power of any artificial In-
 “ terpretation to perplex the Meaning of them.

“ And this lets us into the true Application of those
 “ Passages of Scripture, with which He concludes his
 “ whole Discourse. In which, having shewn the Dan-
 “ ger

ger of our Church from these False Brethren, and exhorted his Auditory to a steady Courage and Resolution in the Defence of it; He thus at once inforces his Doctrine, and abuses his Adversaries. That *tho' the Church* (for so That He applies, what **Zechariah* spake of the False-Prophets that seduced the People) *lies bleeding of the Wounds she has received in the House of her Friends*: A Passage first thrown at my † self, for Defending the Prince's Authority, when some of These very Men engaged as vehemently on the side of Liberty, against the Rights of the Crown as they now pretend to stand up vigorously for it; † *Tho' the Ways of Zion may mourn FOR A TIME* (so the Doctor glosses upon the Text) *and her Gates be desolate; her Priests sigh; and she in bitterness, BECAUSE* (it is the Preacher's Reason, the Text has no such Word) *her Adversaries are Chief; he means in the Administration under her Majesty; and her Enemies AT PRESENT prosper; (so he again improves the Text; in hopes, I suppose, that it will not be long before he shall have Preach'd them out of their Places:)* *“ Tho' among all her Lovers, she has FEW, (the Prophet complained that Jerusalem had NONE) to comfort her; and MANY (Jeremiah said ALL) have dealt treacherously with her, and are become her Enemies; He refers to those of whom he had before spoken Hag. 22.) †† Tho' there are FEW to guide her among all the Sons which she hath brought forth; neither are there MANY to take her by the Hand of all the Sons that she hath brought up; (Isaiah in both Places says NONE;) Though her Enemies cry down with Her, down with Her, even to the Ground: That is, in other Words, tho' (the Preacher and a few of his Friends excepted) both the Fathers and Pastors of the Church, and the Men who are AT PRESENT in Power and Authority in the State are become False Brethren, and run in with those Enemies of the Church OUR DISSENTERS, against it; “ Yet there is a God that can, and will raise her up, if we forsake her not.*

It were an easie Matter to make many proper Remarks upon these Passages of Scripture thus applied, or rather abused by the Preacher: But that would be besides my present Business; and will fall in more pro-

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* Zech. xiii. 6.

† See Dr. A's Rights of an English Convocation; Title-Page.

† Lament. i. 4, 5.

** Lament. i. 2.

†† Isaiah li. 18,

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perly under the *last Article of this Impeachment*. It is enough that I have, I hope, fully shewn your Lordships how Dr. S. has treated if not the *Indulgence* it self, yet I am sure *Those who are entitled to the Benefit of it*. And who if they shall have the Misfortune by this kind of *Preaching* to be once generally thought such wicked, false and dangerous Enemies to our Church and State as they are here represented, I cannot think that their *Indulgence* will hold long. If they have Numbers to secure them, it is well for them: But otherwise I am sure as the Case is here stated it must be our *Wisdom* as well as *Duty* to suppress them.

How Criminal such an *Invective* as this will be accounted in the Eye of the Law, I dare not presume to Suggest: Much less shall I pretend to intimate what Censure it may deserve. Somewhat I think should be done to put a stop to such Preaching, as if not timely corrected may kindle such *Heats and Animosities* among us, as may truly endanger both our Church and State. As for the Preacher himself; I am very willing to come into any Measures of Favour to him, that are Consistent with your Lordships Honour and Justice; and will answer the Ends of the *Impeachment* that has been brought before us against him.

The Bishop of *Norwich* enforce'd what the Bishop of *Lincoln* had said about *Toleration*.

Bishop of
Nor-
wich's
Speech.

My Lords,

I AM very sensible under what Disadvantage, in the Opinion of many, a Bishop must speak against a Clergyman that stands accused of Crimes committed by him in the seeming Execution of his Office; especially after having been so publickly required to be an Advocate as well as a Judge. And I am the more sensible of this Prejudice lying against me, for having been so lately called into that Order, and for being so unworthy of it.

But I think my self obliged notwithstanding, under all these Disadvantages, to deliver not only my Judgment but also the Reasons that determine me to it: Which I shall do as plainly as I can; with that deference to your Lordships which I am sure it must upon all Occasions particularly become me to pay; and at the same time with that Freedom which I think the Importance of this cause does at this time require.

Dr. *Sacheverell* stands impeached by the Commons of Great Britain of High Crimes and Misdemeanours expressed

pressed in the several Articles of the Charge exhibited against him: And your Lordships have heard what they have said in support of that Charge, as well as what has been offered in the Doctor's Defence.

Your Lordships have also debated among your selves the Merits of the Cause as to the first of these Articles, and have come to a Resolution that the Commons have made good that part of their Charge: In which Resolution as I did heartily concur, so I was ready to have humbly represented to your Lordships my Reasons for so doing, had there been either room or occasion for it.

Your Lordships are now upon the *Second Article*; wherein the Doctor is charged for *suggesting and maintaining that the Toleration granted by Law is unreasonable, and the Allowance of it unwarrantable*; with other Particulars that have immediate relation to this general Charge, and which are indeed so many Proofs of it.

In this view therefore my Lords, I beg leave to consider them; and the First of these Instances in Support of this Charge is, that he asserts that *He is a False Brother with relation to God, Religion or the Church, who defends Toleration and Liberty of Conscience*; and this, my Lords, the Doctor does assert in so many Words. It is one of the many Marks he gives whereby we may discern who is a false Brother in those respects; not a small part of one general Mark, as was alledged very inconclusively, I think in his Defence. For if it was to be granted (though it cannot be fairly pretended) that the Doctor makes the defending of Toleration and Liberty of Conscience, one Branch of the Character of a false Brother; I do not see how it could make even a part of that Character, if there was no false Brotherhood in it. And I shall not trouble myself or your Lordships with going about to settle the degrees of false Brotherhood that are in this part of the Character, because I think every degree of it is unreasonable and not to be warranted.

And therefore the Doctor cannot make it so much as a part of the Character of a false Brother to defend Toleration and Liberty of Conscience, as it is confess'd that he does, but he must at the same time *suggest and maintain that the Toleration is unreasonable, and the Allowance of it unwarrantable*. For it can never be any degree of false Brotherhood to defend what is reasonable and warrantable: Nor would even the Doctor, as inconsistent a Man as several of the Noble Lords that have spoken for him represent him to be, ever have made

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made it one; if he had not himself condemned that which he blames others for defending.

The Second Instance alledged is, that he calls Archbishop Grindal a False Son of the Church, and a perfidious Prelate for deluding Queen Elizabeth into the Toleration of the Genevian Discipline. I shall not, my Lords, go about to add any thing to the full and just Vindication you have heard of that Excellent Prelate. But can any of your Lordships believe that a Presbyter of the Church of England, professing more than ordinary Zeal for Episcopacy and the Constitution of this Church; should bestow such Language on one who was the first Bishop, and the Ornament of it so long; only for disposing that Glorious Queen to a mild Treatment of the Puritans of that Time, which is the utmost that is pretended to be laid to his Charge, if he had thought Toleration a reasonable thing, or what was fit to be established by Law?

This, my Lords, I confess can never enter into my Thoughts, as ready as I am to enlarge them for the admitting of any favourable Construction that will not shut out common Sense.

The Third Instance is his making it the Duty of the Superior Pastors to thunder out their Ecclesiastical Anathemas against Persons intitled to the Benefits of the Toleration. And to shew that he has done this, I need only refer your Lordships to that part of his Sermon where the Superior Pastors are call'd upon to do so; (*viz.*) the Fourth and last General Head, where he draws the Consequence of all that he had spoken before, in the following Words. * " Now what should be the Result of this long Discourse, but that if we bear any true Concern for the Interest, Honour and Safety of our Church and Government, we ought stedfastly to adhere to those Fundamental Principles upon which Both are founded, and upon which their Security under God alone depends; and consequently that it highly behoves us cautiously to Watch against, to Mark and Avoid all those that Treacherously desert them. And indeed it would be both for our Advantage, as well as their Credit, if such Men would throw off the Mask, entirely quit our Church of which they are no True Members, and not fraudulently eat her Bread, and lay wait for her Ruin, purloin her Revenues, and ungratefully lift up their Heels against

" against Her. For then we should be one Fold under
 " one Shepherd; all those Invidious Distinctions, that
 " now Distract and Confound us, lost; and we should
 " be terrible like an Army of Banners to our Enemies;
 " who could never break in upon such an Uniform and
 " Well-compacted Body. This indeed would be a true
 " Peace and Solid Union, when we should all with one
 " Mind and one Mouth glorify God, and not with a
 " confused diversity of Contradictory Opinions, and
 " inconsistent Jargon of Worship, which the God of
 " Peace, Purity and Order cannot but abhor. As it is
 " a Maxim in Politicks that all Governments are best
 " supported by the same Methods and Councils upon
 " which they are founded; so it will appear undenia-
 " bly true in its Application to our Constitution, which
 " can be maintained by no other Principles, but those
 " on which it is built, and like their Basis, the Gospel,
 " if there's any Violation or Breach made in any Branch
 " of it, it shakes and endangers the whole Frame and
 " Body. These things however little they may be re-
 " presented by our Adversaries, will be found of the
 " most considerable Consequence. Let us therefore, as
 " we are unhappy Sharers of *St. Paul's* Misfortune, to
 " have our Church in Perils amongst False Brethren,
 " follow his Example and Conduct in a parallel Case.
 " He tells us in his Epistle to the *Galatians*, c. 2. That
 " he was obstructed and pester'd in his preaching the
 " Gospel by FALSE BRETHREN unawares brought
 " in, who came privily to spy out his Liberty, which
 " he had in Christ Jesus, that they might bring him in-
 " to Bondage: To whom he gave place by Subjection,
 " no not for an Hour, that the Truth of the Gospel
 " might continue with the Church. Doubtless this
 " brave and bold Resolution did the Apostle take by the
 " peculiar Command and Inspiration of the Holy Ghost;
 " and yet if our *Dissenters* had liv'd in those Times, they
 " would have branded him as an Intemperate, Hot, Fu-
 " rious Zealot, that wanted to be sweetned by the gen-
 " tle Spirit of Charity and Moderation forsooth. Schism
 " and Faction are things of impudent and incroaching
 " Natures, they thrive upon Concessions, take Perm-
 " ission for Power, and advance a *Toleration* immediately
 " into an *Establishment*. And are therefore to be treated
 " like growing Mischiefs or infectious Plagues, kept at
 " a distance, lest their deadly Contagion spreads. Let
 " us therefore have no Fellowship with those Works of
 " Darkness, but rather reprove them. Let our Superior
 " Pastors do their Duty in thundring out their Ecclesi-
 " astical

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“astical Anathema's, and let any Power on Earth dare reverse a Sentence ratify'd in Heaven.

“Can any thing, my Lords, be plainer than that the Dissenters, and they only, are here spoken of? And what does the Doctor say in his own defence, to avoid it? His Words in his printed Speech are these:

“Schismaticks, my Lords, are not the only Persons against whom Ecclesiastical Censures may be denounced: The Works of Darkness which I referr'd to as fit to be reprov'd, in that Part of my Sermon where I speak of these Censures, are of the same kind with those mentioned by the Apostle, whose Words I produc'd; All Lewd and Immoral Practices, &c.

“It is very true, my Lords, Schismaticks are not the only Persons against whom Ecclesiastical Censures may be denounced, but I must still say they are the only Persons referr'd to, in the Paragraph I have read to your Lordships; and therefore I own I am a good deal concern'd, to find the Doctor making so vain, so unsincere a Defence. For it is not Works of Darkness in general he is cautioning against, but expressly, by a Word of his own inserting, not the Apostle's, *those* Works of Darkness mentioned immediately before; *Schism* and *Faction*, which with him go always together.

“These are the Sins against which he calls upon his Superior Pastors to thunder out their Ecclesiastical *Anathema's*; nor can the Charge be avoided by that Distinction which was offer'd in his Behalf, between a Censure purely Spiritual, and an Ecclesiastical Censure. For admitting there is Ground for that Distinction in a Scholastical Consideration of the general Question of Christian Censures; yet there is no room to make use of it in this case, because he calls expressly for *Ecclesiastical Anathema's*, which can be apply'd to none but such as are Part of the Order and Discipline of this Church.

“And it is certain, my Lords, that these Censures cannot, since the Act of Toleration, be inflict'd upon Dissenters, how much soever their Schism remains; because it is expressly provided by an Act of Parliament, (an Act, my Lords, of the whole Christian Society, to which the Superior Pastors were personally concurring) that they shall not be treated as Schismaticks in the Way of those Ecclesiastical Censures, to which their Separation would otherwise have certainly subjected them.

“And tho' I cannot undertake upon Memory to be very particular, yet I dare venture to say, there have anciently

ciently been Relaxations of the Discipline of the Church when the Crime was thought to deserve the Continuance of it, for publick Expediency, and better preserving the Peace of the Christian World: And that in such Cases any Presbyter or Bishop wou'd himself have been censured, if he had not acquiesced in such Relaxations.

My Lords, a Presbyter of the Church of England, is the more obliged to acquiesce in all such Relaxations amongst us as are legally made, because he has solemnly promised at his Ordination, that *he will give his Faithful Diligence always so to minister the Doctrine and Sacraments and the Discipline of Christ, as the Lord hath commanded, and as this Church and REALM hath received the same.*

I have already observed to your Lordships, how the Discipline of the Church stands at present as to the Point in question. And as the Relaxation of it in that Particular, was agreeable to that Temper which the Bishops who petitioned K. James, gave the Dissenters ground to expect: So I am verily perswaded that the Church is so far from having been hurt by this Indulgence, that it has received Advantage as well as Credit, from that Moderation which gave way to it. I could give several Instances of this within my own Observation, while I was Arch-Deacon, under a Reverend Prelate that sits now before me; and since I have had the Honour to be on this Bench: In which Compass of Time several Men of Sobriety and Learning, bred up to be Ministers amongst the Dissenters, have left the Separation, and upon due Trial have been admitted to Orders in our Church; in which they have officiated with entire Conformity to our Rules, and to the Honour of our Holy Religion.

These Instances have been so frequent and remarkable, since the Dissenters have been exempted from the Penalties of certain Laws, above what had been observ'd before; that I think it very ill becomes any Clergyman to preach against that Exemption, as the Doctor (notwithstanding his Reserve for Conscience truly scrupulous) has done; and to call upon his Superiors to act in Contradiction to it. He should have forbore doing this, at least out of regard to Her Majesty, who had been graciously pleas'd to declare from the Throne, that she would preserve the Toleration inviolable: A Resolution I shall ever think it my Duty upon all proper Occasions to express my Approbation of, as just, and wise and charitable, and every way agree-

March.

agreeable to the Spirit and Genius of the Christian Religion.

I shall not, my Lords, enter into the Enquiry of what Sentences are ratified in Heaven: But as one may venture to say, that all that have been pronounced on Earth, are not ratify'd there; so by all I have felt of the Doctor's Spirit in these Matters, I have great reason to fear, that if the Power of the Keys was in his Hands, it would often be very sadly abused.

However he has so good an Opinion of his own Spirit, as to put his Superiors in mind of another Part of their Duty, immediately after that I have mentioned; and that is, to *promote Men of Probity, Conscience, and Courage*, without which he thinks they cannot be fit Members of the Church Militant; in which I can as little agree with him as in the former Demand. For if I may judge of the Probity, Conscience, and Courage he thinks so deserving, by what appears in his Sermon, compar'd with his Speech to your Lordships; I cannot think them Qualifications for a Minister of the Church of Christ in any respect; and I hope I shall be so happy as to find all the Reverend Prelates with whom I have the Honour to sit, agreeing with me in this.

But though I hope such a Conduct will never commend any Person to Favour; yet I do not desire that even that which I heartily blame, should be punished so much as I think it deserves. And tho' he who pleads so warmly for *wholsome Severities* toward those who differ from him, has the least Title to your Lordships Compassion; yet I hope he will find it as far as the just Concern you have for the Publick Tranquillity will allow you to shew it.

This I say from that which I bless God is the natural Temper of my Mind, and not from the Care that had been taken by some to intimidate as far as they could, those who were to have the Cognizance of the Doctor's Cause, and were not thought to be favourable to it.

I shall not take upon me to charge the Doctor or any of his particular Friends with this Practice, as great a Temptation as one is under to do so from several Circumstances. And it is not the least that occurs in his Prayers, which he has published upon this Occasion to represent not so much to God as to the World, that he is under Persecution; when he is persecuted for offending against the Law by those who in common Justice ought to be thought the fairest Ac-

cusers;

Blanch.

cusers; and before your Lordships, who are justly acknowledged to be the most Impartial Judges.

However I will never believe, till I cannot avoid it, that any Members of the Church of England who have acknowledged the Government, much less any Clergyman who has so often profess'd his Obedience to it in Church and State, should have been any way accessory to those Threatnings that have been given out particularly against such Bishops as should happen to condemn the Doctor's Proceedings.

As far, my Lords, as I have seen of this Cause, I am likely to be one of those Bishops; and though I do not pretend to any great Share of Courage, I am very free to declare to your Lordships that I am in no Comparison so apprehensive of what may befall my self for condemning this Person, as I am of what will probably befall the Publick if your Lordships should not condemn him.

But that is in your Lordships Judgment, to which I humbly submit it: And only beg Pardon for having detained your Lordships so long in giving my Reasons why I think the Commons have made good this Second Part of their Charge.

No Peer offering to speak in favour of Dr. Sacheverell, the Question was put, *that the Commons had made good the Second Article of their Impeachment*, which was resolved in the Affirmative; as was likewise the same Question about the Third Article, in relation to which the Lord Hallifax made a short Speech, and was answered by the Lord Ferrers and the Earl of Nottingham. The Fourth Article occasioned a longer Debate, which was begun by the Earl of Wharton, who spoke in Praise of the present excellent Administration: The Bishop of Salisbury seconded him, and spoke with Vehemence against the Insolence of Dr. Sacheverell, who by inveighing against the Revolution, Toleration and Union seem'd to arraign and attack the Queen herself, since her Majesty had so great a Share in the First; and had often declared that she would maintain the Second; and that she looked upon the Third as the most Glorious Event of her Reign. That nothing could be more plain, than his reflecting on her Majesty's Ministers; and that he had in particular so well mark'd out a noble Peer there present by an ugly and scurrilous * Epithet (which he would not repeat) that 'twas not possible to mistake him. This set the whole House a laughing; and several Lords cry'd, *name him, name him*; but the Lord Chancellor moderated

Debate
about the
4th Article

* Volsper.

March.

*The Lord
 Haver-
 sham's
 Speech.*

ted the Matter, saying, *no Peer was obliged to speak but what he thought fit.*

The Lord *Ferrers* said something in Favour of Doctor *Sacheverell*, but was answered by the Earl of *Mansfield*; and then the Lord *Haversham* made a short Speech, about that Part of the fourth Article, wherein Dr. *Sacheverell* is charg'd with wresting and perverting divers Passages of Holy Scripture. He said, in Substance, 'That no Man on Earth has Authority to interpret the Scripture; which, as he thought, must be interpreted by it self; That since the Reformation, we had contended against the Church of Rome, who pretended to that Authority: And shall we, added he, allow Infalibility in the Commons, which we deny in the Pope of Rome? And in the Conclusion his Lordship repeated his Desire, that the Reverend Prelates, there present, would tell the House, how Dr. *Sacheverell* could be charg'd with wresting the Scripture: But none of the Bishops offer'd to satisfy him. The Duke of *Hamilton* having said something in Favour of Doctor *Sacheverell*, he was answer'd by the Lord *Mohun*, to whom his Grace readily reply'd: But tho' the Duke of *Buckingham*, the Lord *Ferrers*, the Earls of *Scarfsdale* and *Abingdon*, and the Lord *Carmarthen* endeavour'd likewise to extenuate the Doctor's Offence; yet the Question being put, That the Commons had made good the Fourth Article of Impeachment, it was resolv'd in the Affirmative. But Thirty Eight Lords enter'd their Dissent to the Questions upon the Second, Third and Fourth Articles, for the same reason given against the Question upon the First.

Then the Earl of *Wharton* said, That since the House had resolv'd, that the Commons had made good their Four Articles of Impeachment against Dr. *Sacheverell*, the Lords ought, by a necessary Consequence, to resolve and declare likewise, That the said Dr. *Sacheverell* was Guilty of the Crimes and Misdemeanors charg'd upon him: But the Earls of *Abingdon* and *Rochester*, the Lord-Treasurer, the Lord *North* and *Grey*, and the Lord *Ferrers*, starting some Difficulties, and moving for a Debate, it was propos'd, That the Question to be ask'd every Lord in *Westminster-Hall*, should be as follows:

' **T**HAT the Commons having made good the several Articles of the Impeachment against *Henry Sacheverell*, Doctor in Divinity; the said Doctor *Henry Sacheverell* is Guilty of High Crimes and Misdemeanors.

March.

After which the Earl of Nottingham mov'd for adjourning the Debate, which was agreed to.

Accordingly, on the 18th of March, the said Question, Debate in and the Order for resuming the adjourn'd Debate, being the House read, the Earl of Rochester mov'd, That the Judges should of Lords be advis'd with in this important Case: But no Peer se- about the condoning that Motion, the Lord Gernsey said, ' That the Manner of Question, as stated, was not fit to be put in Westminster-Hall, because it would subvert the Constitution of Judgment Parliament, and preclude the Peers from their Right in Dr. Sa- of giving their Judgment, both of the Fact, as well as cheverel's of the Law: For in this Case, some Peers might be sa- Trial.

tified as to the Fact, but not as to the Law; and if they 18. were to give their Judgment as the Question was stated, E. of Ro- their Freedom of Voting would be taken away: There- chester.

fore, his Lordship mov'd, That the first Part of the pro- Ld. Gern- posed Question be left out. The Lord North and Grey, who say.

spoke next, said, There was no Necessity of putting Ld. North the Question in Westminster-Hall, but only acquaint the and Grey. Commons there, That Dr. Sacheverell was Guilty in

General: For, added his Lordship, how can any Peer that thinks him Not Guilty, as for my Part, I don't, say in the Face of the Commons, He is not Guilty, and allow at the same time, that the Commons have made good their Articles of Impeachment? Hereupon, the Earl of Wharton said,

He wonder'd at the Lord Gernsey's making that Motion, after the House had come to a Resolution, that the Earl of Commons had made good their Articles; That the Wharton. Question, as stated by the Lord-Chancellor, did not pre-

clude any Peer from his Right of giving his Judgment: For every Lord was at Liberty to protest and enter his Dissent, if he would not be convinc'd by the Majority of the House; And that the Lords being in the Nature of a Jury, ought to deliver their Opinion, *Seriatim*.

The Lord Ferrers back'd the Lord Gernsey's Motion; Lord Fer- objecting against the Preamble of the Question as un- rers.

necessary; and urging, That 'twas only the Majority of the House, and not the House, that came to a Resolution, That the Commons had made good their Im-

peachment. On the other hand, the Lord Gernsey, in Ld. Gern- Answer to the Earl of Wharton, said, ' That the Lordssey.

were not as a Jury, for every Lord was both a Judge and a Juror; That some Peers might think Dr. Sache- verell guilty of one Part, and innocent of the other; and yet if they were to give their Judgment as this Question was stated, how could they say he was Not Guilty, when the Preamble set forth, That the

- Much.* ' Commons had made good their Impeachment? The
 Earl of *Wharton* reply'd, That this Objection had been
 much more proper before the House had proceeded so far.
Wharton. However, the Earl of *Rocheſter* having mov'd that the
 Preamble be left out, the Earl of *Wharton* and the reſt
 E. of *Rocheſter.* agreed to it, and thereupon the Lord Chancellor ſtated
 the Queſtion thus, ' That the Queſtion to be put to each
 Lord in *W.ſtmiſter-Hall*, beginning at the Junior Baron
 firſt, ſhall be, Is Dr. Henry Sacheverell Guilty of High
 Crimes and Miſdemours? The Earl of *Nottingham* mov'd,
 E. of *Nottingham.* That the Words of High Crimes and Miſdemours be left
 Ld. *North* out; and was ſeconded by the Lord *North* and *Grey*: But
 and *Grey.* the Earl of *Wharton* ſaid, ' That what was offer'd was
 Earl of *Wharton.* unfair: For the Commons having impeach'd Doctor
 Sacheverell of High Crimes and Miſdemours, and the
 Lords agreed and reſolv'd, That the Commons had
 made good their Impeachment, it neceſſarily follow'd,
 that He was Guilty of the ſaid Crimes and Miſdemeanors.
 To moderate the Matter, the Duke of *Buckingham* propos'd,
 D. of *Buckingham.* that the Queſtion be thus alter'd, of the
 Crimes and Miſdemours charg'd upon him by the Impeachment;
 to which the Earls of *Wharton* and *Sunderland* readily
 agreed; but the Earl of *Jerſey* excepted againſt the
 Earl of *Wharton.* Queſtion, as being complex or complicated. The Lord *Gernſey*
 E. of *Sunderland.* purſued the ſame Objection, for the Reaſons he alledg'd
 before, viz. ' That ſome Peers might think Doctor
 E. of *Jerſey.* Sacheverell guilty of ſome of the Crimes charg'd upon
 him by the Impeachment of the Commons, and innocent
 E. of *Gernſey.* of the other; and urg'd an Inſtance of an Indictment
 containing ſeveral Charges, in which Caſe the
 Jury is not to answer generally, but particularly to each
 Offence; becauſe the Judge goes by the Verdict and
 impoſes the Fine accordingly: Therefore his Lordſhip
 moved, That each Peer ſhould give his Judgment ſeverally
 to each Article. To this the Lord *Somers* answer'd, That
 the Matter of Fact was already ſettled, tho' every
 Lord *Somers.* Peer might proteſt and diſſent; That the Lord *Gernſey's*
 Objection, grounded on the Inſtance he brought in of
 Indictments, in the Courts below, was very improper,
 becauſe as his Lordſhip himſelf had ſuggeſted, the
 Lords are both Judges and Jury. That as Jury, they
 might, in Conſcience, pronounce the Doctor Guilty,
 tho' they thought him Guilty of one Article only:
 But that the Lords who did not think him Guilty of
 all the Four Articles, might, afterwards, as Judges
 moderate the Punishment. The Earl of *Nottingham*,
 E. of *Nottingham.* reply'd, ' That for his Part, he thought Dr. Sacheverell
 Guilty of no Crime; and mov'd that the Particle *The*
 be

' be left out, and the Question put thus, *Is Dr. Henry Sacheverell Guilty of High Crimes and Misdemeanors, charg'd upon him by the Impeachment?* Which was agreed to.

Then it being propos'd, to consider what Answer each Lord should give; the Lord *Hallifax* said, That according to the Usage of Parliament, the Lords ought to answer, *Content*, or *Not Content*. But the Lord *Ferrers* alledg'd, That *Content*, or *Not Content*, was not an adequate Answer to the Question; and the Earl of *Nottingham*, and the Lord *Gernsey*, his Brother, urg'd, ' That there were several Precedents for *Guilty*, or *Not Guilty*

' upon my Honour; but did not remember any for *Content*, or *Not Content*. The Lord *Hallifax* maintain'd his Assertion, and said, He wonder'd the Lord *Nottingham* did not know there were Precedents for *Content*, or *Not Content*;

and instant'd in the Lord *Somers's* Trial, in which the Lords gave their Judgment that Way. On the other hand, the Lord *Gernsey* insisted upon answering *Guilty*, or *Not Guilty*;

and was seconded by the Lord Treasurer, who said, ' That there was a Difference between the Lords Voting in their House promiscuously, some times in Confusion, and their giving their Judgments in *Westminster-Hall*;

and that the Precedent mention'd by the Lord *Hallifax*, was an extraordinary one, made in an extraordinary Case. The Lord *Hallifax* moving for Searching the Journals;

and the Earl of *Wharton*, for following Precedents; the Clerk turn'd to, and read the Precedent of the Lord *Somers's* Impeachment, in which the Peers gave their Judgment by *Content*, or *Not Content*;

But the Earl of *Rocheſter* desiring that other Precedents might be search'd, and urging, That there was a Difference between the Lords Voting in their House, and in *Westminster-Hall*;

the Duke of *Buckingham* answer'd, ' That the Trial was the same in *Westminster-Hall*, as if the Lords were in their House; that they removed to the Hall, only for the Spaciousness of the Place: And therefore the Question ought to be answer'd, as if they were in the House, *Content*, or *Not Content*. To this the Earl of *Ilia*, reply'd, ' That *Content*, or *Not Content*, was a very improper, ungrammatical Answer, to the Question, *Is Doctor Sacheverell Guilty of High Crimes, &c.* And therefore, either the Question ought to be alter'd, or the Answer be, *Guilty*, or *Not Guilty*.

Then the Lord *Ferrers* endeavour'd to shew the Inconveniencies that might attend the putting the Question as propos'd, alledging, ' That some of the Peers there present, might hereafter be impeach'd, and repent, too late, the having made such a Precedent of Giving Judgment

March.

Earl of
Anglesey.Ld. Chan-
cellor.Duke of
Bucking-
ham.Earl of
Sunder-
land.Anglesey.
Ld. Chan-
cellor.Duke of
Shrews-
bury.

ment generally. The Earl of *Anglesey* pursued the same Argument; adding, That if the Question was put, and answered generally, the Majority of the People would not know what the Doctor was condemned for: To which the Lord Chancellor readily reply'd, That Every Body would know he was either *Guilty*, or *Not Guilty* of the Crimes charged on him by the Impeachment of the House of Commons. But the Earl of *North* insisted, That every Peer ought to be at liberty to Vote *Guilty* or *Not Guilty* to every Article; otherwise it might happen, that though a Majority of the House might think Dr. *Sachverell* innocent upon each Article, yet by this Method of a general Answer he might be condemned of all, which seem'd inconsistent with the usual Method of Justice in that House. The Duke of *Buckingham* urged on the same side, That since the Judgment of the House in this Case ought to be a Declaration of the Law, the Condition of the People would be most miserable, to have Punishment for High Crimes and Misdemeanours, and not have a Possibility of informing themselves, what the Crimes thereby punish'd were, which they could not learn from this general Determination; And that this Uncertainty being in the Case of a Clergyman for Preaching, it might create some Fear in good Men, when they preach some Doctrines of the Church of *England*, particularly that of *Non-Resistance*. The Earl of *Sunderland* calling for the Question, the Earl of *Anglesey* insisted on the Inconveniencies of Answering generally to it: Whereupon the Lord Chancellor very wittily mentioned Four Inconveniencies that might ensue, *viz.* First, that Clergymen would know, that to preach against the *Revolution* was a High Crime and Misdemeanour: 2^{dly}, That to preach against the *Toleration*: 3^{dly}, Against the *Union*: And 4^{thly}, To reflect on the Queen's Ministers, and suggest that the Church is in Danger under her Majesty's Administration, were likewise High Crimes and Misdemeanours: These, said his Lordship, are the only Inconveniencies that I can foresee will attend this Judgment; Which ironical Turn wonderfully pleased the Majority of the Assembly. The Earl of *Wharton* calling then for the Question, the Duke of *Shrewsbury* said, That he did not think the Doctor Guilty of the First Article; For as he had as great a Share as any Man in the late Revolution, so he would ever go as far as any to vindicate the Memory of our late glorious Deliverer. That though he thought the Church Safe under her Majesty's Administration, yet he

he would not have it made a High Crime and Misdemeanour to say, That the Church is in Danger; because Times might come, when it might really be in Danger: And in the Conclusion insisted on *Voting Articles by Article*. The Lord Carmarthen, the Earl of Anglesey, and the Earl of Nottingham did the like; but the same being opposed by some other Peers, the Lord Chancellor did at last propose this Question, *Whether the Answer to be given by each Lord, should be, Guilty, or Not Guilty, only*; which being resolved in the Affirmative; then the main Question was put, Whether it should be ask'd, *Is Henry Sacheverell, Doctor in Divinity, Guilty of High Crimes and Misdemeanours, charged on him by the Impeachment of the House of Commons*. This was likewise carried in the Affirmative; but several Lords enter'd the following Protest:

March.
Protesta-
tion of se-
veral
Lords a-
gainst the
manner of
giving
Judgment
against
Dr. Sa-
cheverell.

Dissentient,

1. ' Because we do humbly conceive, that the oblig-
ing every Lord to answer generally, *Guilty, or Not*
Guilty, to a Question containing all the Articles of this
Impeachment, is a kind of tacking upon our selves,
by an unnecessary joyning of Matters of a different
Nature, and subjecting them to one and the same De-
termination; and consequently may prejudice the
Right every Peer has to give a Free Affirmative or
Negative; since, whoever thinks Dr. *Sacheverell* Guilty
of one Part, and Innocent of the other, will be obli-
ged either to Approve what he Condemns, or Con-
demn what he Approves.

2. ' We do humbly conceive, there is at least a Pos-
sibility, that though a Majority of the House, if ad-
mitted to Vote to the Articles separately, may think
him Innocent upon each Article; yet, by this Method
of a general Answer he may be condemned of all;
which seems not to be consistent with the usual Me-
thod of Justice in this House.

3. ' We humbly conceive, that since the Judgment
of the House in this Case ought to be a Declaration
of the Law, the Condition of the People will be most
miserable to have Punishment insisted for High
Crimes and Misdemeanours, and not to have a Possibi-
lity of informing themselves what the High Crimes
and Misdemeanours thereby punish'd, are; for the
People's only Guide is the Law; and they can never
be guided by what they can never be informed of:
And we do humbly conceive, that this Uncertainty
being in the Case of a Clergyman, for Preaching, it

Bucking-
ham.
Hamilton
Mar.
Lexing-
ton.
Dart-
mouth.
Northesk.
T. Rossen.
Jo. Ebor.
W. Ce-
striens.
N. Du-
resme.
Shrews-
bury.

March.

may possibly create some Fear in good Men, when they preach some Doctrines of the Church of England, particularly that of *Non-Resistance*; and may be made use of by ill Ones, as an Excuse for the Neglect of that Duty, which, upon some Occasions, is required of them, even by the Laws of the Land.

Willoughby Br.	Leeds,	Anglesey,
Haversham,	Berkshire,	Nottingham,
Ormeau,	Scarsdale,	H. London,
Beauford,	Yarmouth,	Suffex,
Denbigh,	Stamell,	North and Grey,
Northampton,	R. Ferrers,	Abingdon,
Rochester,	Poulet,	Thanet,
Weymouth,	Howard,	Jersey,
Osborne,	Plimouth,	Leigh,
Craven,	Conway,	Wexon,
Guilford,	George Bath & Wells,	Gernsey,
Lampster,		

The Lords
give Judgment in
Dr. Sacheverell's
Trial.

On the 20th, about Three a-Clock in the Afternoon the House of Lords adjourned into Westminster-Hall, where the Commons had taken their Seats; and being there, the House was resumed, and the Lord Chancellor declared, That the Lords had agreed upon a Question to be put to each Lord severally. Then his Lordship put the Question, beginning at the Junior Baron first, viz. the Lord Pelham, who said *Guilty*. The same Question was severally put to the rest, whose Names and Votes are as follow.

Lord Harvey, Guilty.	Lord Lexington, Not Guilty.
Lord Conway, Not Guilty.	Lord Rockingham, Guilty.
Lord Guernsey, Not Guilty.	Lord Colepeper, Guilty.
Lord Halifax, Guilty.	Lord Byron, Guilty.
Lord Haversham, Not Guilty.	Lord Leigh, Not Guilty.
Lord Herbert, Guilty.	Lord Moban, Guilty.
Lord Weston, Not Guilty.	Lord Howard of Effrick, Not Guilty.
Lord Leimpster, Not Guilty.	Lord Hunsdon, Guilty.
Lord Guilford, Not Guilty.	Lord Chandos, Not Guilty.
Lord Stawell, Not Guilty.	Lord North and Grey, Not Guilty.
Lord Dartmouth, Not Guilty.	Lord Pagen, Guilty.
Lord Ossulton, Guilty.	Lord Willoughby of Broke, Not Guilty.
Lord Osborne, Not Guilty.	Lord Fitzwalter, Guilty.
Lord Craven, Not Guilty.	Lord Ferrers, Not Guilty.
Lord Cornwallis, Guilty.	
Lord Berkley of Stratton, Not Guilty.	

Lord

Lord De la War, Guilty.
 Bishop of St. Asaph, Guilty.
 Bishop of Norwich, Guilty.
 Bishop of Chester, Not Guilt.
 Bishop of Lincoln, Guilty.
 Bishop of Bath and Wells,
 Not Guilty.
 Bishop of Oxford, Guilty.
 Bishop of Peterborough, Guilt.
 Bishop of Ely, Guilty.
 Bishop of Sarum, Guilty.
 Bishop of Rochester, Not
 Guilty.
 Bishop of Durham, Not Guilt.
 Bishop of London, Not Guilt.
 Lord Viscount Weymouth,
 Not Guilty.
 Lord Viscount Say and Sele
 Not Guilty.
 Earl of Iffay, Guilty.
 Earl of Glasgow, Guilty.
 Earl of Roseberry, Guilty.
 Earl of Seafield, Guilty.
 Earl of Orkney, Guilty?
 Earl of Northesk, Not Guilty
 Earl of Leven, Guilty.
 Earl of Wymes, Not Guilty.
 Earl of Loudoun, Guilty.
 Earl of Mar, Not Guilty.
 Earl of Crawford, Guilty.
 Earl of Cholmley, Guilty.
 Earl of Powlet, Not Guilty.
 Earl of Wharton, Guilty.
 Earl of Greenwich, Guilty.
 Earl of Grantham, Guilty.
 Earl of Jersey, Not Guilty.
 Earl of Orford, Guilty.
 Earl of Bradford, Guilty.
 Earl of Warrington, Guilty.
 Earl of Scarborough, Not
 Guilty.
 Earl of Portland, Guilty.
 Earl of Plymouth, Not Guilt.
 Earl of Holderness, Guilty.
 Earl of Abington, Not Guilt.
 Earl of Rochester, Not Guilty.
 Earl of Nottingham, Not
 Guilty.

Earl of Berkley, Guilty. *March.*
 Earl of Yarmouth, Not Guilt.
 Earl of Radnor, Guilty.
 Earl of Suffex, Not Guilty.
 Earl of Carlisle, Guilty.
 Earl of Anglesey, Not Guilty.
 Earl of Scarfsdale, Not Guilty
 Earl of Sunderland, Guilty.
 Earl of Thanet, Not Guilty.
 Earl of Winchelsea, Guilty.
 Earl of Stamford, Guilty.
 Earl Rivers, Guilty.
 Earl of Berkshire, Not Guilty
 Earl of Manchester, Guilty.
 Earl of Westmorland, Guilty.
 Earl of Denbigh, Not Guilty.
 Earl of Northampton, Not
 Guilty.
 Earl of Leicester, Guilty.
 Earl of Bridgewater, Guilty.
 Earl of Dorset and Middlesex,
 Guilty.
 Earl of Lincoln, Guilty.
 Earl of Pembroke, Not Guilty
 Earl of Derby, Guilty.
 Marquis of Dorchester, Guilt.
 Lord Chamberlain of the
 Household, Guilty.
 Duke of Dover, Guilty.
 Duke of Roxborough, Guilty.
 Duke of Montrose, Guilty.
 Duke Hamilton, Not Guilty.
 Duke of Buckinghamshire,
 Not Guilty.
 Duke of Bedford, Guilty.
 Duke of Leeds, Not Guilty.
 Duke of Shrewsbury, Not
 Guilty.
 Duke of Schomberg, Guilty.
 Duke of Bolton, Guilty.
 Duke of St. Albans, Guilty.
 Duke of Northumberland,
 Not Guilty.
 Duke of Beaufort, Not Guilt.
 Duke of Ormond, Not Guilty
 Duke of Grafton, Guilty.
 Duke of Richmond, Guilty.

March. Duke of Cleveland, and Lord President, Guilty.
 Southampton, Guilty. Lord Treasurer, Guilty.
 Lord Steward, Guilty. Arch-bp. of York, Not Guilty.
 Lord Privy-Seal, Guilty. Lord Chancellor, Guilty.

69 for
 Guilty,
 and 52
 Not
 Guilty.

Then some time being spent by the Lord Chancellor in numbering the Opinion of the Lords, he afterwards said, my Lords, I have cast them up with as much Exactness as I can; and I find that there are of your Lordships present in all One hundred twenty one; of these Sixty Nine of your Lordships have found Dr. *Henry Sacheverell* Guilty of the High Crimes and Misdemeanours charged on him by the Impeachment of the House of Commons, and Fifty Two have found him not Guilty.

The Lord Chancellor having cast up the Votes, as aforesaid, declared Dr. *Sacheverell*, Guilty, but the following Peers enter'd their Dissent.

<i>Suffex.</i>	<i>Leigh,</i>	<i>Leeds,</i>
<i>Tarmouth,</i>	<i>Rocheſter,</i>	<i>Buckingham,</i>
<i>Jo. Ebor,</i>	<i>Craven,</i>	<i>Thanet,</i>
<i>Marr,</i>	<i>Northesk,</i>	<i>Nottingham,</i>
<i>Weymouth,</i>	<i>Lexington,</i>	<i>Beaufort,</i>
<i>North and Grey,</i>	<i>Guilford,</i>	<i>Lampſter,</i>
<i>Abingdon,</i>	<i>Poulett,</i>	<i>Northampton,</i>
<i>Jerſey,</i>	<i>Dartmouth,</i>	<i>Weſton,</i>
<i>H. London,</i>	<i>Denbigh,</i>	<i>Say and Sele,</i>
<i>Gernſey,</i>	<i>Ormonde,</i>	<i>Osborne,</i>
<i>Geo. Bath and Wells,</i>	<i>Berkſhire,</i>	<i>Berkley, Str.</i>
<i>Howard,</i>	<i>Plimouth,</i>	<i>Stawell,</i>
<i>Tho. Roſſen,</i>	<i>Angleſey,</i>	<i>Shrewsbury,</i>
<i>N. Dureſme,</i>	<i>Scarſdale,</i>	<i>Scarborough,</i>
<i>W. Ceſtrienſ.</i>	<i>Hamilton,</i>	<i>Chandos.</i>
<i>Willoughby,</i>	<i>Conway,</i>	

None of
 the
 Eſor's
 Friends
 publiſhed
 their
 Speeches.

It's very remarkable that, though the Speeches of the Bishops who were againſt Dr. *Sacheverell* were printed with their Permiſſion, as you have them before, yet none, except that of the Lord *Haversham*, of the oppoſite Side, thought fit to publiſh theirs. The Reaſons are beſt known to themſelves, if they had had any great Opinion of the Man or his Performance, as they generally had not, it's likely they would not have forbore it; that was not it, the extraordinary manner of proceeding againſt him in a Parliamentary Way was what they chiefly diſliked.

But not to digreſs, the Uſher of the *Black Rod* having brought Dr. *Sacheverell* to the Bar, and cauſ'd him to kneel

kneel down, the Lord Chancellor told him, that the Lords having with their usual Candor and Equity, examined and considered the Articles exhibited against him with the Allegations to make good the same, and what had been offer'd by his Council and himself in his Defence, had found him guilty of High Crimes and Misdemeanours charged upon him by the Commons of Great Britain. Then the Doctor standing up, made a short

Speech importing, ' That not having been suffer'd to be at their Lordships Bar, while their Lordships were giving their Votes, he hoped he might now be permitted to put in a Plea before their Lordships pass'd Sentence upon him: That he was advis'd by his Council to offer, First, that by the Opinion of all the Judges the particular Words supposed to be Criminal, ought to have been expressly specified in the Articles of Impeachment against him; Secondly, That in the Title of the said Articles the same were said to be exhibited in the Name of all the Commons of Great Britain; and yet the Commissioners of Shires who make part of the Commons of Great Britain, were not mentioned with the Knights, Citizens, and Burgesses in Parliament assembled. Both which he begg'd their Lordships to take into Consideration. The Lords being returned to their House, took the Doctor's Plea into Consideration, and resolv'd that the same was frivolous; and that they would the next Day consider what Censure to pass upon him.

Dr. Sacheverell being declared Guilty, puts in a Plea.

His Plea over-ruled

Accordingly, on the 21st, it being propos'd, First, That Dr. Henry Sacheverell be enjoyned not to preach during the Term of Seven Years.

Debates about his Censure.

Secondly, ' That for the same Term of Years to be made incapable of receiving any other Ecclesiastical Benefice than what he now enjoys.

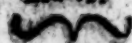
Thirdly, ' That he be imprison'd in the Tower, for Three Months, and until he finds Sureties for his good Behaviour during the Term of Seven Years, before the Two Chief Justices.

Fourthly, ' That his Sermons be burnt by the Hangman, at the Exchange, in the Presence of the Lord Mayor and Sheriffs.

The House took the proposed Question into Consideration Paragraph by Paragraph, and after Debate upon the first Paragraph, it was agreed, to leave out the Word (*Seven*) and it being propos'd, instead thereof, to insert the Word (*Three*.) But the Question was put,

Whether

March:



Whether the Blank in the first Paragraph shall be fill'd up with the Word (Three,) which was resolv'd in the Affirmative. Then this Question was put, ' That Dr. Henry Sacheverell shall be enjoy'd not to preach during the Term of Three Years, which was resolv'd in the Affirmative.

Then the second Paragraph propos'd was, That Dr. Henry Sacheverell be made incapable of Receiving any Ecclesiastical Benefice for the space of Three Years: And after Debate thereupon, this Question was put,

' That Dr. Henry Sacheverell be made incapable of Receiving any further Ecclesiastical Benefice during the said Term of Three Years; which was resolv'd in the Negative.

Then the third Paragraph propos'd, was, ' That Dr. Henry Sacheverell shall be imprison'd in the Tower for Three Months, and until he find Sureties for his good Behaviour; which was not insist'd on.

Then the fourth Paragraph propos'd was, ' That Dr. Sacheverell's Two Sermons be Burnt by the Hangman at the Exchange, in the Presence of the Lord Mayor and Sheriffs. And after further Debate this Question was put, ' That the Two Printed Sermons of Dr. Henry Sacheverell, referr'd to by the Impeachment of the House of Commons, shall be burnt before the Royal-Exchange, by the Hands of the Common Hangman, in the Presence of the Lord-Mayor of London, and the Two Sheriffs of London and Middlesex; which being resolv'd in the Affirmative, it was order'd by the Lords Spiritual and Temporal in Parliament assembled, that the Judgment to be pass'd in the Case of Dr. Henry Sacheverell, should be,

Mild Sentence to be pass'd on Dr. Sacheverell.

' That Henry Sacheverell, Doctor in Divinity, shall be, and is hereby enjoy'd not to preach during the Term of Three Years next ensuing.

' That Dr. Henry Sacheverell's Two printed Sermons, referr'd to by the Impeachment of the House of Commons, shall be Burnt before the Royal Exchange, in London, between the Hours of Twelve and One, on Monday the 27th of this Instant March, by the Hands of the Common Hangman, in the Presence of the Lord-Mayor of the City of London, and the Two Sheriffs of London and Middlesex.

Dissentient,

Jo. Ebor,
Abingdon,
Beaufort,

H. London,
North and Grey,
N. Duresme,

Geo. Bath and Wells,
Buckingham,
Scarsdale,

Thant,



Thames,	Lampfer,	Osborne,
Rocheſter,	Danbigh,	Plimouth,
Poules,	Berkſhire,	Suffex,
Angleſey,	Crown,	Weymouth,
Tho. Roſſen,	Howard,	Nottingham,
R. Ferrers,	Scarborough,	Geruſey,
Guilford,	Northampton,	Leigh,
Aſhburnham,	Conway,	

As ſoon as 'twas known abroad what a mild Sentence the Lords had reſolved to paſs upon Dr. Sacheverell, his Friends, who look'd upon it rather as an *Absolution* than a *Condemnation*; and as a ſure Indication of the Impotence of the oppoſite Parry, could not forbear expreſſing their Joy: Inſomuch, that in the Evening moſt of the Streets in *Westmiſter*, and ſome in the City of *London*, were full of Illuminations and Bonfires, round which many drank the *Doct'or's Health and happy Deliverance*, and obliged thoſe that paſſ'd by to do the like. Theſe Rejoycings being a kind of Inſult upon the Parliament, and occaſioning tumultuous Aſſemblies, ſtrictly forbidden by the late Proclamation, the Train'd-Bands of the City did in ſeveral Places diſperſe the Mob, and ſeized on a few diſorderly Perſons, who were committed to *Newgate*. On the other Hand, Notice was taken of many who made theſe unpolitick Bonfires, and one of them happening to be one of her Maſteſty's, Yeomen of the Guard, he was a few Days after diſmiſſ'd by her Maſteſty's Command.

Rejoycings thereupon,

Some Muſtineers ſent to *Newgate*: A Troop of the Guard turn'd out.

Let the unthinking Vulgar rejoyce on at the Mildneſs of the Sentence, the Intention of the Parliament was not ſo much the Punishment of the Man, as condemning the Doctrine which is now upon Record in the Houſe of Lords, and a laſting Monument of the Falſity of it, never to be reverſed.

In the mean time the Insolence of the Mob continued, of which we give you a freſh Inſtance by the following Order of the Earl of *Sunderland*, Secretary of State.

Whereas on *Thursday* the 16th Day of this Inſtant *March*, ſeveral Perſons yet unknown broke in to the Lodging-Room, in *Longditch* in *Westmiſter*, of *William Southerland*, Sergeant in her Maſteſty's Second Troop of Horſe-Grenadiers, and robbed him of whatever he had there of any Value (himſelf being then on Duty) and at the ſame time inſulted his Wife, and uſed divers barbarous and threatening Speeches againſt him, on account of his having been active in the Diſcharge

Lord *Sunderland's* Order about *Southerland*. 20.

March.



charge of the Duty of his Post, being commanded with a Party of the said Horse-Grenadiers on Wednesday Night, the 1st instant, to suppress and disperse the the Rabble that was then assembled in a rebellious manner, and committing very great Disorders and riotous Tumults: Her Majesty for the better Discovery of the Persons Guilty of the Burglary, Felony, and other Crimes above mentioned, is pleased to promise her most gracious Pardon to any one of the said Persons who shall make known his Accomplices, so as they may be apprehended and brought to condign Punishment, and a further Reward of Fifty Pounds to such Person, or to any other Person or Persons whatsoever, making such Discovery as aforesaid.

Whitehall,

March 20. 1709-10.

SUNDERLAND.

On the 22d, the Lords sent a Message to the Commons to acquaint them, That their Lordships were ready to give Judgment against Dr. Henry Sacheverell, if that House with their Speaker would come and demand the same. Whereupon it was debated, whether the House would demand Judgment? Most of the Doctor's Friends were for the Negative, hoping that the rest, who thought the Sentence too moderate, would have joyned with them; which would have ended in the Doctor's Impunity; and perhaps occasioned a Misunderstanding between the two Houses: But not above four or five Members joyning with them, it was resolved, (by a Majority of 47 Voices) that the Commons would demand Judgment of the Lords against Dr. Henry Sacheverell. Accordingly the next Day the Commons went up to the Bar of the House of Lords, whither the Doctor being brought, the Speaker, in the Name of all the Commons of Great Britain, demanded Judgment against him, which the Lord Chancellor pronounced to him kneeling, after which the Doctor returned the Lords his humble Thanks and Acknowledgements for their Clemency towards him.

The Commons being returned to their House, the Lord Mayor of London, who was not a little mortified at his being, by the Lords Sentence, obliged to assist at the Burning of a Sermon he had approved, and the Printing whereof (as Doctor Sacheverell asserts in the Dedication) he had commanded, desir'd and mov'd, That he might be excus'd from attending at the said Execution, he being a Member of the House, and 'twas well for

The Commons resolve to demand Judgment against Dr. Sacheverell. Judgment pronounced. Dr. Sacheverell returns the Lords Thanks.

for him he was so. And a Debate arising thereupon, the same was put off till the House was informed what Answer the Lord Mayor had returned to the Sheriffs, when they should demand of him whether he would attend or not: And so that Business dropt. Two Days before, the Question was put in the House of Commons, That the Thanks of this House be given to the Members who were appointed Managers of the Impeachment against Dr. Henry Sacheverell, for their faithful Management in the Discharge of the Trust reposed in them. Which, after a Debate thereupon, was carried in the Affirmative, by a Majority of 179 Voices against 115: And Mr. Speaker gave them (they standing up in their Places) the Thanks of the House accordingly.

Having entertained the Reader with a List of the Lords who Voted against and for Dr. Sacheverell, it will not be improper to give also that of the Commons in this Place, and the same here follows:

An Exact List of the Members of the Honourable House of Commons for England, Wales and Scotland, who in some or other of the Questions upon the Impeachment of Dr. Henry Sacheverell for High Crimes and Misdemeanours, voted for and against him.

Note, Those with this Mark [*] were for the Doctor. The rest against him. The Managers are marked thus [††]

Bedfordshire.

Right Hon. Edw. Ruffel,
Sir Will. Gostwick Bar.
Town of Bedford.

William Farrer Esq;
William Hillerdon Esq;

Berks.

* Sir John Stonehouse Bar.
Richard Nevil Esq;
Borough of New Windsor.
Right Hon. John Ld. Viscount
Fitzharding.

Richard Topham Esq;
Borough of Reading.

* Anthony Blagrove Esq;
Owen Buckingham Esq;
Borough of Wallingford.

Grey Nevil Esq;
* Thomas Renda Esq;
Borough of Abingdon.

William Hucks Esq;

Bucka.

Richard Hampden Esq;
Town of Buckingham.
Sir Richard Temple Bar.
Alexander Denton Esq;
Borough of Chipping Wicomb
Charles Godfrey Esq;

Fleetwood Dormer Esq;
Borough of Aylesbury.

Simon Mayne Esq;
Borough of Agmondesham.

* Francis Duncombe Esq;
* Sir Samuel Garrard Bar.
Borough of Wendover.

Harry Grey Nevill Esq;
Sir Roger Hill Kt.

Borough of Great Marlow.
* Sir James Echord Kt.

James Chase Esq;

Came:

March.

Cambridgeshire.

Sir Rushout Cullen Bar.

* John Bromley Esq;

University of Cambridge.

* Hon. Arthur Annesley Esq;

* Hon. Dixey Windfor Esq;

Town of Cambridge.

* John Hynde Cotton Esq;

* Samuel Shephard Esq;

Cheshire.

Hon. Langham Booth Esq;

John Crew Offley Esq;

City of Chester.

* Sir Henry Bunbury Bar.

* Peter Shakerley Esq;

Cornwall.

* James Buller Esq;

Borough of Dunhivid, alias

Launceston.

* Rt. Hon. Henry Lord Hyde

* William Gary Esq;

Borough of Leskard.

††† John Dolben Esq;

Borough of Lestwithiel.

Francis Roberts Esq;

Borough of Truro.

Robert Furness Esq;

Henry Vincent Esq;

Borough of Bodmin.

Hon. Russell Roberts Esq;

* John Trevanion Esq;

Borough of Helstone.

John Evelyn Esq;

Sidney Godolphin Esq;

Borough of Saltash.

* Sir Chomley Dering Bar.

* Alexander Pendarves Esq;

Borough of Camelford.

* John Manley Esq;

Borough of Portpigham, alias

Wesflow.

* John Conyers Esq;

Borough of Grampound.

James Craggs Esq;

Thomas Scawen Esq;

Borough of Eastlow.

* Sir Henry Seymour.

* Harry Trelawny Esq;

Borough of Tregony.

Anthony Nicoll Esq;

* Thomas Herne Esq;

Borough of Bostiney.

Samuel Travers Esq;

Francis Foot Esq;

Borough of St. Ives.

* John Praed Esq;

* John Borlace Esq;

Borough of Foway.

* George Grandville Esq;

Henry Vincent Jun. Esq;

Borough of St. German.

* Edward Elior Esq;

* Francis Scobell Esq;

Borough of St. Michael.

Hugh Fortescue Esq;

Sir William Hodges Bar.

Borough of Newport.

* Sir Nicholas Morice Bar.

* Sir William Pole Bar.

Cumberland.

Gilfrid Lawson Esq;

City of Carlisle.

††† Sir James Montague K.

Her Majesty's Attorney-Gen.

Borough of Cockermouth.

††† James Stanhope Esq;

Hon. Albemarle Bertie Esq;

Devonshire.

Rights Hon. Tho. Coke Esq;

Vice-Chamberlain.

* John Curzon Esq;

Town of Derby.

††† Sir Tho. Parker Ld. Chief

Justice of the Queen's Bench.

Devonshire.

* Sir Will. Courtenay Bar.

* Robert Rolle Esq;

City of Exeter.

* Nicols Wood Esq;

John Harris Esq;

Borough of Totnefs.

* Sir Edward Seymour Bar.

* George Courtenay Esq;

Borough of Plymouth.

Sir George Byng K.

Town of Oakenhampton.

John Dibble Esq;

Borough of Barnstaple.

* Richard Ackland Esq;

* Nicolas Hooper Esq; one
of her Majesty's Sergeants
at Law.

Borough of Plympton.

George Treby Esq;

Borough of Honiton.

* Sir Will. Drake Kt. & Bar.

Sir Walter Yonge Par.

Borough of Tavestock.

Sir John Cope Jun. Kt.

* Henry Manaton Esq;

Borough of Ashburton.

Roger Tuckfield Esq;

Robert Balle Esq;

Borough of Clifton Dart-
mouth Hardnes.

* Nathanael Herne Esq;

* Frederick Herne Esq;

Borough of Boralston.

†† Spencer Cowper Esq;

†† Sir Peter King Kt. Re-
corder of the City of London.

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Thomas Bere Esq;

* Richard Mervin Esq;

Dorsetshire.

* Thomas Strangeways Esq;

* Thomas Chaffin Esq;

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* William Lewen Esq;

Thomas Ridge Esq;

Borough of Dorchester.

Awnsham Churchill Esq;

Borough of Lyme-Regis.

Thomas Freke Esq;

John Burrige Esq;

Borough of Weymouth.

Edward Clavell Esq;

Borough of Melcomb-Regis.

Hon. Maurice Ashley Esq;

Anthony Henley Esq;

Borough of Bridport.

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William Coventry Esq;

Borough of Shafton, alias

Shaftesbury.

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* Edward Nicholas Esq;

Borough of Wareham.

Rt. Hon. Thomas Erle Esq;

* George Pitt Esq;

Borough of Corfe-Castle.

* John Banks Esq;

* Richard Fownes Esq;

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* Sir Robert Eden Bar.

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James Nicholson Esq;

Essex.

Thomas Middleton Esq;

Borough of Colchester.

Sir Isaac Rebow Kt.

Sir Thomas Webster Bar.

Borough of Malden.

* Sir Richard Child Bar.

Thomas Richmond Esq;

Borough of Harwich.

Kendrick Edisbury Esq;

Thomas Frankland Esq;

Gloucestershire.

Matthew Ducie Morton Esq;

Sir John Guise Bar.

City of Gloucester.

Francis Windham Esq;

* Thomas Webb Esq;

Borough of Cirencester.

* Allen Bathurst Esq;

* Charles Cox Esq;

Borough of Tewksbury.

Henry Iretton Esq;

Herefordshire.

* Rt. Hon. James Ld. Viscount

Scudamore.

* John Price of Wistleton

Esq;

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Hon. James Brydges Esq;

* Thomas Foley Esq;

Borough of Lempster.

†† Hon. Tho. Ld. Coningsby.

* Edward

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John Birch Esq; *Serg. at Law*
* Henry Gorges Esq;
Berkshire.
* Ralph Freeman Jun. Esq;
* Thomas Halsey Esq;
Borough of St. Albans.
* John Gape Esq;
Joshua Lomax Esq;
Borough of Hertford.
Sir Thomas Clerk Kt.
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Huntingtonshire.
* John Prober Esq;
John Pocklington Esq;
Borough of Huntingdon.
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tague Esq;
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Borough of Queenborough.
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* Rich. Shuttleworth Esq;
Borough of Preston in A-
mounderness.
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* William Heysham Esq;
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* Christopher Parker Esq;
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Sir Gilbert Pickering Bar.
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* Sir George Beaumont Bar.
* James Winstanley Esq;
Lincolnshire.
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Willoughby of Eresby.
George Whichcot Esq;
City of Lincoln.
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Scorie Barker Esq;
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ncipal Secretaries of State.
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Sir Gilbert Heathcote Kt.
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 John Chambers Esq;
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 †† Robert Walpole Esq;
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 Robert Baylis Esq;
 Thomas de Grey Esq;
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 Hon. William Egerton Esq;
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 * Hon. Tho. Wentworth Esq;
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 John Thornhagh Esq;
 Town of Nottingham.
 John Plumtree Esq;

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 Sir Thomas Wheate Bar.
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 Rutlandshire.
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 * Richard Halford Esq;
 Salop.
 Rt. Hon. Hen. Ld. Newport
 Sir Robert Corbett Bar.
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 * John Prowse Esq; deceased.
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 Robert Yate Esq;
 Sir William Daines Kt.
 E e City

March.



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 * Samuel Trotman Esq;
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 * Sir Francis Warre Bar.
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City of Winchester.
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 Sir Edward Lawrence Kt.
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 Henry Worsley Esq;
Borough of Christ-Church.
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* William Bttricke Esq;
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Borough of Whitchurch.
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Borough of Andover.
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Staffordshire.
 * Hon. Henry Pagett Esq;
 * John Wrottesley Esq;
City of Litchfield.
 * John Cotes Esq;
Borough of Stafford.
 * Thomas Foley Esq;
 Walter Chetwynd Esq;
Borough of Newcastle under
Line.
 Crew Offley Esq;
 John Lawton Esq;
Borough of Tamworth.
 * Joseph Girdler Esq; Ser-
 geant at Law.
 Richard Swinfen Esq;
Suffolk.
 * Sir Thomas Hanmer Bar.
 * Sir Robert Davers Bar.
Borough of Ipswich.
 William Churchill Esq;
 * Sir William Barker Bar.
Borough of Dunwich.
 Sir Richard Allen.
 Daniel Harvey Esq;
Borough of Orford.
 * Clement Currance Esq;
 ††† Will. Thompson Esq;
Borough of Aldborough.
 * Sir Henry Johnson Bar.
 * William Johnson Esq;
Borough of Sudbury.
 Philip Skippon Esq;
 Sir Harvey Elwes Bar.
Borough of Eye.
 ††† Hon. Spencer Compton
 Esq;

††† Sir

March

††† Sir Joseph Jekyl Kt.
Chief Justice of Chester.

Borough of St. Edmondsbury.

* Jos. Weld Esq; Serj. at Law.
Durrey.

Sir William Scawen Kt.

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Shire of Argyle.

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kinglass.

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March.

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Loanmay.

Shire of Fife.
* Sir J. Abercrombie Bar.
Burgh of Dysert.

Hon. John Sinclair Esq;
Burgh of Anstruther-Easter.

* Sir John Anstruther Jun.
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stoun Esq;

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of Hailes Bar.

Shire of Inverness.
Alex. Grant of Grant Esq;

Burgh of Inverness.
Alex. Duff of Drumuir Esq;

Shire of Kincardin.
Sir D. Ramsay of Balmain

Bar.

Stewartry of Kirkubright.
Lieut. Col. John Stewart of

Levinston.

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Rt. Hon. Ld. Archibald Ham-

ilton of Motherwell.

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stoun Jun. Esq;

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Shires of Nairn and Cromarty.
Hugh Ross Jun. of Kilravock
Esq;

Shires of Orkney and Zet-
land.

Sir A. Douglas of Egilbay.
Shires of Pebbles.

Will. Morisone of Preston-

grange Esq;

Shire of Perth.
* Dugald Stewart of Blair-

hall Esq;

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John Pringle of Haining Esq;

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Henry Cunningham Jun.

of Boouhan Esq;

Burgh of Sterling.
Col. John Brskin.

Shire of Sutherland.
Sir Will. Gordon of Dal-

polly Kt. and Bar.

Shire of Wigtoun.
Hon. J. Stewart of Sorby Esq;

Burgh of Wigtoun.
William Cockran of Kilma-

narock Esq;

Debate in
the House
of Com-
mons about
an Address
for a Fast.

24.

On the 24th there was a great Debate in the House of Commons about a Motion, That an humble Address be presented to her Majesty, that she be graciously pleas'd to issue her Royal Proclamation to appoint a Day of publick Fasting and Humiliation, to deprecate the divine Vengeance which they had just Reason to fear, on Account of those horrid Blasphemies which had been vented, publish'd and printed in this Kingdom, notwithstanding her Majesties repeated Proclamations that had been

March.


been issued for putting the Laws in Execution against the Authors, and the several Prosecutions against such Offenders. Those who made and back'd this Motion being Doctor Sacheverell's Friends, thought thereby, in some Measure, to justify what he had advanc'd in his Sermon, about the Church being in Danger, which, in his Defence, he had ascrib'd to the Heretical and Blasphemous Positions lately publish'd: But some other Members, who perceiv'd the Tendency of that Motion, propos'd, that to the said Address the following Words should be add- ed, ——— Many of which Blasphemies have again, in a most irregular, extraordinary, and insolent Manner, been Printed, Publish'd, and Dispers'd throughout the Kingdom, to the Scandal of all good Christians, by Doctor Henry Sacheverell, during the Course of his late Tryal. Those who made the Motion, not liking this Addition, would have dropt the Address; but the others insisting that it should be presented; the Question was put, and resolv'd in the Affirmative, by a Majority of 144 Voices against 69. However, when the said Address was, by Mr. Secretary Boyle, presented to her Majesty, she was pleas'd to return this Answer:

A Publick Fast having been in this Part of the Kingdom on the 15th of this Month, which is yet to be observ'd in The Queen's North-Britain on the 29th, her Majesty thinks it not proper Answer to to appoint another Fast so soon, but will take it into her Con- sideration at a more convenient Time. *that Ad- dress.*

The same Day a Complaint being made to the House of a printed Book, entituled, *Collections of Passages re- ferr'd to by Doctor Henry Sacheverell, in his Answer to the Articles of his Impeachment, under Four Heads, I. Testimonies concerning the Doctrine of Non-Resistance to the supream Powers. II. Blasphemous, Irreligious, and Heretical Positions, lately publish'd. III. The Church and Clergy abus'd. IV. The Queen, State, and Ministry reflected upon: The Second Edition: Which Book was produced and brought up to the Table, where some Paragraphs (under the Head of Blasphemy, Irre- ligion, and Herefy) were read; after which, it was order'd, That the said Book should, the next Day, be burnt by the Hands of the Common Hangman; and that the Sheriffs of London and Middlesex should assist the Serjeant at Arms attending the House, in seeing the said Book burnt.* *Dr. Sache- verell's Quotations order'd to be burnt.*

The next Day, upon a Complaint made to the House, by Dr. Sacheverell's Friends, of a printed Book, entituled,

March.

 Jed, *The Rights of the Christian Church asserted, against the Romish, and all other Priests, who claim an independent Power over it; with a Preface concerning the Government of the Church of England, as by Law establish'd. And also of another Printed Book, entituled, A Defence of the Rights of the Christian Church, in two Parts. Part first, against Mr. Wootton's Visitation-Sermon, preach'd at Newport-Pagnel. Part second, occasion'd by two late Indictments against a Bookseller and his Servant, for selling one of the said Books; with some Tracts of Hugo Grotius, and Mr. John Hales of Exton: The second Edition, corrected: To which is added, a Letter from a Country Attorney to a Country Parson, concerning the Rights of the Church, never publish'd before. And likewise Monsieur le Clerc's Extraët and Judgment of the said Book; translated from his Bibliotheque Choisie. London, Printed in the Year MDCC IX. The same were produced and brought up to the Table, and some Paragraphs and Passages therein contain'd, being read, it was resolv'd, That the said Books are Scandalous, Seditious, and Blasphemous Libels, highly reflecting upon the Christian Religion, and the Church of England, and tend to promote Immorality and Atheism, and to create Divisions, Schisms, and Factions, among her Majesty's Subjects; and order'd, That the said Book be that Day burnt by the Hands of the Common Hangman. A Complaint being likewise made to the House, of a printed Book, entituled, *Tractatus Philosophico-Theologicus de Persona: Or, a Treatise of the Word Person, shewing, I. How it signifies in respect of Men. II. How it came in Use, with respect to the Deity. III. How it hath been used since by Divines. IV. How it is to be understood, with respect to the Doctrine of the Trinity, as held by the Church of England, and establish'd by our Law, and particularly by the Act 9 and 10 of William III. By John Clendon, of the Inner-Temple, Esq; Printed for John Walthoe, in the Middle-Temple Cloysters; the same was produced and brought up to the Table, and some Passages therein contained, being read, it was resolv'd, That the said Printed Book is a Scandalous, Seditious and Blasphemous Libel; highly reflecting upon the Christian Religion and Church of England, and tends to promote Atheism, Schism and Immorality, and to create Factions and Divisions among her Majesty's Subjects; Ordered, That the said Book be that Day burnt by the Hands of the Common Hangman; And resolv'd, That an humble Address be presented to her Majesty That she will be graciously pleased to Direct her Attorney-General to prosecute the Authors of the said printed Books, and the Publishers thereof, and the Authors**

Other blasphemous Books order'd likewise to be burnt.

Authors and Publishers of all other Scandalous, Seditious and Schismatical, Atheistical and Blasphemous Books. According to the Orders of the Commons, *Several* Dr. Sacheverell's Collections, and the Books they had *Books, and* censured, were on the 25th burnt in the *Palace-Yard, Dr. Sache-* Westminster, as were the *Monday* following, the 27th before the *Royal Exchange*, the Doctor's Two Sermons; as *Collections* also a Decree made by the University of Oxford, in *July, and Ser-* 1683. asserting the Doctrine of *Passive Obedience and Non-* *Resistance, &c.* which the Lords had order'd to be burnt *As also the* at the same time. But tho' this Business of Doctor *Sache-* *verell*, which made so much Noise, both at home and *the Uni-* abroad, seem'd to terminate with these *Small Flames;* yet it new-kindled old Animosities, which soon after *Oxford.* threw'd themselves in many Addresses, of very different Stile and Tenor, that were presented to the Queen: As shall be related in its proper place.

But tho' the Business relating to Dr. Sacheverell has *James A-* taken up so much of our time, yet we are not to omit other *bercrom-* matters. On the 8th her Majesty was pleas'd to confer *bie, Esq;* the Dignity of a Baronet of *Great Britain*, on *James Aber-* *crombie*, Esq; Captain of a Company in her Majesty's *Baronet.* *Gold-Stream* Regiment of Guards; soon after her Maje- *Colonel* *stream* hath been pleas'd to confer the Honour of Knight- *Brown* hood, and Dignity of a Baronet of *Great Britain*, on *Knight and* *Robert Brown*, Esq; a Colonel in the *Saxon* Troops, in *Baronet.* consideration of his having distinguished himself in a *Sir Tho.* very particular manner in the late Battle of *Tanieres*, Parker near *Mons*, and a Patent passed the Seals accor- *made Lord* dingly; and that Eminent Lawyer, *Sir John Holt*, Kt. *Chief Ju-* Lord-Chief Justice of the *Queen's-Bench*, being dead, *stice of the* two days before, her Majesty was pleas'd to advance to *Queen's-* that Station, *Sir Thomas Parker*, who, during the Course *Bench.* of Dr. Sacheverell's Tryal, had given shining Proofs of his Great Abilities; and who, as appears by his Speech, on the Thirteenth of the same Month, was Sworn in that Office, before the Lord High-Cancellor.

About the same time Mr. Palmer, a Reader in the Queen's Chapel at *White-Hall*, was by her Majesty's Command, suspended by the Bishop of *London*, for taking upon him to pray for Dr. Sacheverell, as a Person under Persecution.

As to other Parliamentary Affairs, the Queen on the 13th. went into the House of Peers, and Passed the following Publick Bills.

1. An Act for granting to her Majesty new Duties *Queen pas-* of Excise, and upon several Imported Commodities, and *ses Bills.* for

March.



‘ for Establishing a yearly Fund thereby, and by other Ways and means to raise Nine Hundred Thousand Pounds by Sale of Annuities, and (in default thereof) by another Lottery for the Service of the Year 1710.

2. ‘ An Act for clearing and preserving the Harbour of *Carwater* lying near *Plymouth*, and for cleansing and keeping the Pool, commonly call’d *Gutson’s Pool*, lying in *Plymouth* aforesaid.

And Six Private Acts.

Other Acts
pass’d. 24.

On the 24th of the said Month the Queen went also to the House of Lords with the usual Solemnity, and the Commons attending, her Majesty gave the Royal Assent to these Bills.

1. ‘ An Act for laying certain Duties upon Candles, and certain Rates upon Monies to be given with Clerks and Apprentices, towards raising her Majesty’s Supply for the Year One thousand seven hundred and ten.

2. ‘ An Act to explain so much of the Act for prohibiting the Exportation of Corn, Malt, Meal, Flower, Bread, Biscuit and Starch, and Low Wines, Spirits, Worts, and Wash drawn from Malted Corn, by which Act the said Commodities are admitted to be carried from the *Isle of Wight* to several Markets; and for giving Liberty to export certain Quantities of Oatmeal, for the Uses of the British Hospitals beyond the Seas.

3. ‘ An Act to continue the Act for punishing Mutiny and Desertion, and for the better Payment of the Army and Quartets.

4. ‘ An Act for Repairing and Amending the High ways leading from *Seven Oakes* to *Woodsgate* and *Tunbridge Wells* in the County of *Kent*.

5. ‘ An Act for the more effectual Provision for the Poor, in the Town of *Kingston upon Hull*.

6. ‘ An Act for making a convenient Dock or Basin at *Liverpool*, for the Security of all Ships trading to and from the said Port of *Liverpool*.

And to two private Acts.

Bill to regulate the
Trade to
Africa.

11.

The Commons having several times in a grand Committee taken the Trade to *Africa* into further Consideration, order’d a Bill for settling that Trade to be brought in, which, after the Hearing of the Council, both for the Royal *African* Company, and for the separate Traders, was read a second time, and committed to a Committee of the whole House, to whom an Instruction was given to receive a Clause or Clauses, to provide for the instructing of the Negroes in the Plantations, in the Knowledge of the Christian Religion: But this Bill was never

ver

ver brought to Perfection, and the only thing the Com-
mons did in favour either of the Company or separate
Traders, was the Voting of an Address to her Majesty,
That she would be pleased to give Directions, That
such Ships of War be appointed for protecting the
Trade to *Africa*, as might be necessary for the Pre-
servation and Security thereof.

March
Address
to the
Queen
about the
Trade to
Africa.
April 5.

In the mean time the Lord-Mayor, with what Sin-
cerity himself knows best, put out the following Order
against Riots, Tumults, and other Disorders, which
however in some Measure may be said to have had their
beginnings from himself.

Garrard Mayor.

Whereas her Majesty has been informed, that of
late many Loose, Idle and Disorderly Persons
have used in the Evenings, in a Riotous and Tumul-
tuous Manner, to gather together in the Streets and
other Passages of this City, and the Suburbs thereof;
where they make Bonfires and Illuminations, stop
the Coaches, and Assault the Persons of the Inhabitants,
and other her Majesty's Subjects, who happen to pass
by upon their lawful Occasions, insult their Houses,
break their Windows, forcibly and illegally demand
Money of them; and by violent and unwarrantable
Means oblige them to illuminate their Houses, and
furnish Wood for the said Bonfires, and commit
other great Disorders in open Defiance of her Majesty's
Royal Authority, and her Will and Pleasure declar-
ed in her late Proclamation in that behalf; in con-
tempt of the Proceedings of the High Court of Parlia-
ment now assembled, in breach of the Peace, to the
great Terror of her Majesty's Subjects, and the en-
dangering of their Lives and Possessions, and of the
Quiet and good Government of this City: The Con-
tinuance of which Riots and Tumults (as it hath been
represented to her Majesty) is in a great Measure ow-
ing to the want of Activity and Diligence in the seve-
ral Magistrates and Officers, to whose Care the Pre-
servation of the Peace, and the preventing and sup-
pressing such Rebellious and Tumultuous Assemblies
does appertain. At which Proceedings, so unbe-
coming the Loyalty for which this City has in all
Times been so deservedly Famous, her Majesty has
express'd her Displeasure; and thereupon hath been
pleased strictly to charge and command his Lordship
and all other Magistrates and Officers in this City and
Liberties thereof, thereunto legally Authoriz'd, as
they

Lord-
Mayor's
Order
against
Riots, &c.
30.

March.

they will answer the contrary at their Perils, That they and every of them do forthwith put in Execution, with the utmost Vigilance and Care, all and every the Laws and Statutes whatsoever now in force against Treasons, Traiterous Conspiracies, Riots, Routs, unlawful Assemblies, and other Breaches of the Peace; and such Persons as have refused or shall refuse to take the Oaths appointed by Law; and to seize and apprehend all Persons whatever offending against the same: And to tender to all Persons whom they shall have reason to suspect of Disaffection to the Government, the Oaths appointed by Law, particularly the Oath of Abjuration.

The Right Honourable the Lord-Mayor doth heretofore (by the Advice of his Brethren the Aldermen) in her Majesty's Name, strictly charge and command all Constables, Churchwardens, and all other Officers and Ministers of Justice within this City and Liberties thereof, that they fail not from time to time to prevent and suppress all Assemblies of rude and disorderly Persons in the Streets or any other Places, and the making any Bonfires or other Illuminations, Ringing of Bells, setting up of Lights, or other like Practices for publick Rejoycings, within their respective Precincts and Divisions (without publick Authority for so doing;) As also, that they apprehend all Persons that shall offend herein, or be found attempting any of the said Disorders, and bring them before his Lordship, or some other Justice of the Peace, within this City or Liberties, to be committed or bound over to the Sessions for the same. Likewise, that they return from time to time to the two next Justices (whereof one to be of the Quorum) the Names of such Persons within their several Precincts, whom they shall suspect of Disaffection to the Government, to the end, the Oaths aforesaid may be tender'd to them. And his Lordship doth require the City's Marshal to seize and apprehend from time to time all Hawkers, and other Persons whom they shall find crying and exposing to Sale in the Streets of this City, or Liberties thereof, any seditious Books or Pamphlets reflecting upon the Government, and bring them before some Justice of the Peace to be examined, and dealt withal according to Law; And doth also charge the Beadles of the several Wards to go from House to House, throughout the same, and give the Inhabitants notice that they suffer not their Sons, Servants or Apprentices to be abroad in the Streets in the Evenings after
it

' it be Dark, unless it be upon their lawful Occasions,
' as they will answer for any Misdemeanours or Distur-
' bances that may be committed by them. And his Lord-
' ship doth especially recommend it to the several Al-
' dermen of this City, That either by themselves, their
' Deputies, or such other Person or Persons as they shall
' Intrust, They do observe and take a strict account of
' the Behaviour herein, of the respective Constables and
' other Officers within their Wards: And such as they
' shall find to have fail'd in their Performance thereof,
' to bind over to the Sessions, to answer for such their
' Default; and to do their best Endeavours, that the
' Laws be duly and strictly put in Execution against all
' Offenders, in the several kinds before-mention'd, as
' her Majesty hath Commanded, and the Duty of their
' Office obliges them to.

Having dwelt thus long upon our Domestick Ani-
mosities and other Matters, let us now see how things
stand upon the Continent; we own we have been a lit-
tle too Remiss (but this was for want of a more timely
Intelligence) in the Account we gave of the Negotia-
tions of Peace, or rather the Preliminary Paces made to-
wards it; and therefore, we must look back again, and
Observe, that about the beginning of *February* last, an
Express from *France* brought Mr. *Pettecum* at the *Hague*,
a fresh Project of Peace to be communicated to the Al-
lies, which differ'd little from the other before menti-
oned, or rather was an Amplification of it. 'Twas in *jest* of
the main the same with the Preliminaries, but cast
into another form, which as effectually destroy'd the
Preliminaries, as if it had been put into no form at all:
Besides several material Alterations, for the Restituti-
on of the *Spanish* Monarchy; there was a Promise only,
the Clause in the 4th. Article, whereby the King en-
gag'd to take in concert with the Allies proper Mea-
sures to oblige his Grandson to it, was left out; the re-
storing of the Two Electors was insisted on as a Preli-
minary, and of the Elector of *Bavaria* in particular to
the Upper *Palatinate*, in contradiction to the Prelimi-
naries, by which 'twas agreed it shou'd remain to the
Elector *Palatin*, whom the Emperor had some time be-
fore put into Possession of it, than which nothing cou'd
be more reasonable; no Prince having suffer'd so much
from *France* as one of them, or deserv'd so ill of the Em-
peror as the other. As for the 37th Article, the Ex-
pedient offer'd, was Three Towns in *Flanders* of his own
choosing: ' An Offer, which my Author says, was worth
' nothing

March.



French
pretend to
agree to
all the
Prelimina-
ries except
the 37th
Article.

'nothing, since he wou'd never give any Towns that the Allies cou'd think a tolerable Security for so important a Point; besides that, if the Towns were agreed on, many Difficulties wou'd certainly rise in the Execution, and in settling the Terms on which they shou'd return to him or not: For if the Allies were to keep them only till the Affairs of *Spain* were decided; what wou'd they be the better for them, if in the Issue of Things it shou'd not end to their mind? which he wou'd take the best Care he cou'd it shou'd not. To complete the Project, and that the Design and End of the Preliminaries might be entirely subverted, 'twas propos'd, that the Execution of all the Articles shou'd be defer'd till the Treaty was concluded, and the Ratifications exchang'd. This Project being nothing but the old Bait made up a-new, the Allies were too wise to bite at it: But as *France* had all along excepted to nothing but the 37th Article, they were resolv'd to adhere to the rest, and therefore wou'd admit of no Conferences till they explain'd themselves fully as to that Point. When the *French* saw so much Stiffness on the Part of the Allies, they, who were not such religious Observers of their Word, as to suffer a little seeming Compliance to do them any any harm, or to lose their Point for want of it, thought fit to recede in appearance at least, and give the States all the Assurance the most express Words cou'd do, that the King agreed to all the other Preliminaries, and that if they wou'd consent his Ministers shou'd come and confer with them upon the 37th Article, he did not doubt but what shou'd be propos'd from him, wou'd be to their Satisfaction.

This was so full a Declaration, as gave some hopes, this Difficulty might be adjusted, or at least it wou'd have made the refusal of what they ask'd look invidious: The States therefore, to remove all pretence of complaint, as if they were too diffident, or had a mind to prolong the War, which they knew the *French* were always labouring to insinuate; a Practice, in which their Friends in *England* copy'd after them perfectly well; granted them Passports for such Ministers as the King shou'd think fit to send.

The Express arriv'd the 20th. and was sent back the 23d. which shews how little difficulty the States made, though at the very time the King gave them these Assurances, that all the Preliminaries shou'd remain in full force only with such Alterations in the Terms of the Execution as the Course of Time had made necessary, they knew he had just done what would make other

Alterations.

Alterations necessary, and would oblige them to change the Stile at least of the Preliminaries in several Articles; and that in a very material Point; which was his giving to the second Son of the Duke of Burgundy, who was born the 15th, the Title of Duke of Anjou, which was an Indication he resolv'd to insist upon his Grandson's having the Title of King Philip given him in the next Conferences: Which, tho' in appearance a little matter, would draw after it no little Consequences; for, if he was to retain the Title of King, it could not be imagin'd he could ever return to France with that Character; that would upon many Accounts be so inconvenient, that had his return thither been intended, his former Title would have been retained. If therefore the Name of King was to remain to him, 'twas intended a Kingdom should do so too; and from thence one of these two things necessarily follow'd, either that the King of France would make only a separate Peace for himself, and leave the Allies to get Spain as they could; or if he agreed to a general one, it should be upon the Foot of a Partition. But these Inferences, as natural as they were, did not hinder the States to grant the Passports desir'd, and to do every thing they could to facilitate the way to a good Peace.

But all this while as the Suspicions the French gave of their Insincerity, made the States pursue the most effectual Measures for an early Campaign; so it put them upon taking the best Care they could, that if no Good should come from the Renewing of the Conferences, they might prevent the Mischief they apprehended was design'd by them. And therefore, tho' they gave leave for the Conferences to be renew'd, they would not suffer the Ministers of France to come into the Heart of their Country, till the Point in dispute shou'd be agreed. Since the French pretended to except to nothing but the 37th Article, and said, they had an Expedient for that, which, they doubted not, wou'd give content; this being an Affair, which, in all appearance, requir'd but little time, and seem'd not to require many Conferences; the States propos'd, upon Answer being dislik'd, to send their Deputies to confer with the Ministers of France either at Moerdyke or Gertruydenberg.

The French lik'd neither of these Places, but when no Plenipotentiaries other could be obtain'd, they chose the last; where they arriv'd the 10th, but were met the Day before by the Deputies of the States at Moerdyke. The Ministers of France were the Marquis d'Uxelles and the Abbot de denburg.

March.

Polignac, Men extremely well qualify'd for the Business they came upon: And the Deputies on the part of the *States*, were *Messieurs Buys* and *Vanderdussen*; the same by whom the first Conferences with *Monsieur Resille* were manag'd the Year before; and who were known to have no Aversion to a Peace, if it could be had on reasonable Terms.

French Policy in lengthning the Conferences.

These Conferences which were begun on the 9th, continu'd till *July*; on the 25th of which Month, the *French* Ministers left *Gertruydenburg*. So that these Conferences lasted more Weeks than they shou'd have been suffer'd to do Days; there being but one single Point, by their own confession, in Dispute; which was the only Fault that any body cou'd find in the part the *States* had in the management of this Affair; and they were as sensible themselves of it, as any body else cou'd be. They knew the Advantage the *French* made of the stay of their Plenipotentiaries in *Holland*; which contributed extremely to keep up the Spirits of the People in *France*, and make them bear patiently the continuance of the War, and the arbitrary and violent Methods made use of to support it. *Bread and Peace* was the cry of the common People all over *France*; and the Court was continually afraid of Tumults in the great Towns, and in the remoter Provinces; which made it necessary to quiet them with the most specious Appearances of Peace, which they all along gave out was as good as made: And every Express that arriv'd, the People were made to hope, wou'd bring the welcome News, that the Articles were sign'd. Nor were the *French* content to impose thus on their own People, their Emiffaries did the same thing in *Holland*; and 'twas by their means often very confidently reported, that all was agreed, when the *States*, who had no Interest in deceiving their People, gave themselves, no occasion for their entertaining such false hopes. But this the *French* did, to make them insensibly grow weary of the War, and shew themselves out of Humour with their Governors; and that they might have the Odium of deceiving them, while themselves made their Uses of it: One of which was, to enable them to find Credit more easily at *Amsterdam*; where underhand, 'tis certain, great Sums of Money were negotiated, and sent in Specie to *France*; which an appearance of Peace very much facilitated, by the hopes it gave of good Payment; and in the mean time, there was the Temptation of great Interest: And besides all the other Purposes, these reports of Peace serv'd to, they hop'd it might

March.



might make the *States* themselves less forward to supply the great Expence which a vigorous Siege calls for, and utterly averse to a Battle, which the *French* were most afraid of; and whenever the Conferences should end, the greater the Expectations had been of Peace, the more People would be dissatisfied at its going off; and the Fault would seem to be least theirs, who had been loudest, and talk'd most for it. These Advantages on the other hand, though the *States* were sensible from the first Conference, that the wisest part they could take, was to send the *French* Plenipotentiaries back immediately, or limit their stay to a very short time; yet, they suffered them to stay till there was not the least Pre-
tence for more Conferences, or the *French* at least would make none, but were themselves willing to be gone. This the State thought themselves oblig'd to do, to prevent the Insinuations of the *French*, which were industriously spread by their Emissaries, as if the old Ministry, the Pensionary, and his Friends, were averse to Peace, and had a Design to perpetuate the War for their own Interest; a Calumny that has too much Influence on the Minds of the People in other Governments; so that great Care ought not to be taken to obviate the Force and Mischief of it in one that is wholly Popular.

But to come to the Conferences themselves: The first, Particular as aforesaid, was on the 9th, at Moerdyke; in which, to shew what might be expected from the rest, the Ministers of *France*, after all the Assurances that had been given of the King's agreeing to those Articles which give up the whole *Spanish* Monarchy in the most ample manner, begun with proposing a Partition; and that *Naples* and *Sicily*, with *Sardinia*, and the Towns upon the Coast of *Tuscany* belonging to *Spain*, should be granted to one of the Competitors, without naming which: That since the *Dutch* would not be satisfy'd with cautionary Towns in *Flanders*, no other Expedient was left but this; it being very hard to oblige the King to force his Grandson to quit, and impossible to persuade him to it, without a valuable Consideration. Tho' nothing could be more exactly against the Preliminaries than this Proposal of a Partition, the Allies did not wholly reject it, nor did the other side absolutely insist upon all they at first asked; which if they had, little had remain'd for them but to go back, it being impossible to think the Emperor would ever consent to part with *Naples*, which would give the *French* such footing in *Italy*, as would soon make them Masters of the whole, and endanger his Hereditary Country. The Ministers of

March.



France were made so sensible of this, as to give up the Point, and say, They believ'd the King wou'd, for the sake of Peace, be prevail'd with to desist from that part of his Demands, towards which they promised their good Offices: And so the Conference ended.

Second
Conference.

The Deputies return'd to the *Hague*, and the Plenipotentiaries sent an Express to the King, to let him know what had pass'd. Upon the return of the Express, the Plenipotentiaries sent to the *Hague*, to desire another Conference, which was agreed to; and on the 20th, the Deputies went a second time to *Gertruydenburg*; their part in these Interviews having been Concerted in the mean time with the Ministers of the Emperor and *England*, at several Meetings for that purpose, and the rest of the Allies having been at a General Meeting, were informed of what had been moved in the first Conference; this was the constant way in which these Negotiations were carried on, while the Ministers of *France* continued at *Gertruydenburg*: At the end of a Conference, the *French* sent an Express to Court, and upon his Return, perhaps the next Day, or perhaps two or three Days after, when they had Decypher'd their Instructions, and settled Matters between themselves; they notified it at the *Hague*, and desired another Conference, which was agreed to: The Deputies went, Confer'd, Return'd, Reported, upon which the Allies met, Consulted, Agreed, and settled what farther Steps should be made on their part.

The States General, and the Ministers of the High Allies at the *Hague*, had all this while under Consideration, the Neutrality of the *North*, especially so far as it related to the Security of the Peace of the Northern Provinces of the Empire, and at length they agreed upon a certain Declaration, which the respective Parties in general accepted of, but the *Danes* insisted, That they might be allow'd to transport the Recruits they had rais'd, on this side the *Baltick*, which being oppos'd by the *Swedes*, because, under that pretence, the *Danes* might transport under the Name of Recruits, all their Forces in *Sleswick* and *Germany*, and thereby defeat the End of this intended Neutrality; the High Allies would not admit this Pretension of the King of *Denmark*.

In the mean time, the War between the *Danes* and *Swedes* went on in *Schonen*, where without Recapitulating any thing that has been said before; we come to relate a very remarkable Action between the two Nations, extremely to the Disadvantage of the former, which take as follows:

The

The *Swedish Army*, on the 9th, in *Sabmen*, being with-
 in three quarters of a *Swedish Mile* of the *Danish Army*,
 which was then advantageously encamped before *Elfs-
 burg*, having a *Morass* and a *Village* on the Right Wing,
 and a *River* and a *Wood* on the Left. On the 10th in
 the Morning *Lieutenant-General Rantzau*, who had the
 chief Command of the *Danes*, having received Intelli-
 gence that the *Swedes* were moving towards him, drew
 up his Forces in order of Battle, and disposed them in
 two Lines; in the first were 22 Squadrons and 14 Bat-
 talions, ten of which were posted in the Center, and
 the other four mix'd interchangeably with the Squa-
 drons on each Wing. Major-General *Echsted* comman-
 ded the Center, Major-General *Rothstein* the Right
 Wing, and Major-General *Dewitz* the Left. The second
 Line consisted of eight Battalions and three Squadrons
 on each Wing, and was commanded by Major-General
Brogdorf, and the Prince of *Hesse Philippsale* a Brigadier.

In this Order the *Danish Army* advanced from their
 advantageous Camp into a Plain, situated at a small di-
 stance, where they found the Enemy preparing for the
 Engagement, but their Army was not entirely formed
 into order of Battle; for at that time the Left Wing
 was filing up to them through a Wood. This being
 observed by the *Danes*, Orders were immediately given
 to their Horse to advance and begin the Attack. Col-
 onel *Meurner*, who commanded the *Danish Horse-Guards*
 on the Right, was commanded to attack eight Squadrons
 of the *Swedish Cavalry*, which had been drawn up into
 a Body by *Lieutenant-General Broenschiold* (who com-
 manded the Left Wing of the *Swedish Army*) as soon as
 he saw the *Danes* advancing towards him, the rest of
 the Wing not being yet formed. After a sharp En-
 gagement, wherein the Colonel and Major of the *Danish*
Dragoons were killed, Colonel *Meurner* broke and dis-
 order'd those eight Squadrons, and pierced as far as the
 second Line of the *Swedish Army*. In that Action the
Danes took *Lieutenant-General Broenschiold* Prisoner, and
 carried off three Standards from the Enemy.

The *Swedes* however soon recover'd their Disorder;
 and being much superior to the *Danes* in Number, sur-
 rounded the *Danish Horse-Guards* on all sides, who were
 not seconded by six Squadrons of Dragoons that had
 Orders to support them, the Commanding Officers be-
 ing killed in the first Onset. The Major of the Horse-
 Guards was killed, and most of the Officers wounded,
 and render'd incapable of doing further Service, or con-
 tinuing in the Action. The Colonel having also recei-

March.



ved several Wounds in the Head, was forced to be carried off. The *Swedes* having thus over-power'd and defeated the *Danish* Horse, advanced towards their Foot, and forming themselves in the Spaces which had been before possessed by the *Danish* Cavalry, they attacked them on all sides. The *Danish* Infantry defended themselves for some time with great Obstinacy, but were at last obliged to retire with a very considerable Loss; the Regiment of Guards having carried off only eighty Men, and that of the Prince Royal but thirty five. The second Line made very little Resistance; the Regiment of Guards was the last that left the Field, and they retreated in very good Order. The Left Wing of the *Danes* did not suffer in this Action as much as the Right, for the *Swedes* believing that the *Danes* would have made their greatest Efforts on the Right Wing, had placed their greatest Strength on the Left; whereas the *Danes* had equally divided their Forces between the two Wings, which happening to be unfortunately separated by a Marshy Ground, could not succour each other. Major-General *Rothstein* passing from one Wing to another, his Horse fell into a Bog, and he saved himself with great Difficulty.

The *Danes* being retir'd after the Battle to *Elfsingburg*, the *Swedes* advanced the next Day before that Place, and General *Steenbock* immediately sent a Colonel to summon them to surrender themselves Prisoners of War, offering to let them keep their Baggage; to which Terms the *Danes* refused to submit, but would have capitulated for free leave to withdraw all their Forces from *Elfsingburg* to *Elsinore*. Hereupon the *Swedes* raised a Battery to play on the Bridge of *Elfsingburg*, in order to hinder the *Danes* from transporting their Troops to this side; yet notwithstanding, by the Assistance of some Dutch Vessels that lay in the Sound, the Remains of the Horse-Guards, were forthwith brought over to *Elsinore*, being to the Number of 150, with one Captain, one Lieutenant, and one Ensign.

Danes

forced to

quit Scho-

nen. 15.

In the Night of the 15th Instant all the *Danish* Troops retired from *Elfsingburg* on board the Ships appointed to transport them, and were before the next Morning landed at *Elsinore*. They left a great part of their Baggage behind them, and killed all their Horses before they came away. Some thousands of the *Danes* were slain in this Battle, and they lost all their Horses and Artillery; so that they have not been able to repair the Damage all the ensuing Campaign; whereas the *Swedes* came off not only victoriously, and with little loss; but in their turn

turn threatned to invade Zealand, which however they could not effect.

March.

As for the Swiss Cantons they were at this time somewhat puffed about Religious Matters, there appearing amongst them a new Sect of People called *Mennonists* or *Anabaptists* known in the Canton of *Bern*, by the Name of *Pietists*; who being now persecuted, the States General of the United Provinces wrote to the Laudable Canton of *Bern* in favour of them.

In the mean time M. St. Saphorin, Envoy from the Canton of *Bern*, desiring a Passport for M. Ruysey with 150 Anabaptists which the Canton of *Bern* had thought fit to send to *America*, that they might have free Passage thro' *Holland*, and that the States should write to the Admiralty of the *Maese* to be assistant to their Transportation, their High Mightinesses, after mature Deliberation, thought fit to give M. St. Saphorin an Answer, importing, ' That the States were of Opinion, that every Man should be left to his Freedom in Matters of Religion, to believe and confess what he thought would conduce to the Salvation of his Soul; and that no Body should be persecuted or punish'd for such Matters, if his Doctrine and Conduct did not tend to the Prejudice of the Country in which he liv'd. And seeing that these Anabaptists must be reckon'd of that Number, their High Mightinesses (having found by Experience, that laying aside what concerns their Belief and Worship, they had always behav'd themselves as very good Subjects) could not therefore be any way assisting towards transporting the aforesaid Anabaptists to *America*, nor do any thing that might give Ground to have it said that the States should approve such Proceedings of the Canton of *Bern* against those People: On the contrary, they had found themselves obliged to intercede for them. States Answer.

In *France* we shall find the General Assembly of the Clergy meet the 10th at *Paris* according to the usual Ceremonies, and on the 19th have a solemn Audience of the French King at *Versailles*, where an Apartment was prepared for them. Monsieur *Pontchartrain*, Secretary of State, came thither to receive them with the Marquis de *Dreux* Great Master of the Ceremonies, who conducted them to their Audience of the King; the Life-Guard being ranged in the Hall under Arms, and the Folding-Doors thrown open, and the Cardinal de *Noailles* their President made the following Speech to his Majesty.

March.

C. de
Noailles
President
of the
Assembly
of French
Clergy's
Speech to
the King
19.

S I R,

WE come with Joy and Eagerness to render to your Majesty our most humble Homages, and those of the whole Clergy of *France*, which this Assembly represents, and which is the first Body of your Kingdom, far less in Rank than in their Zeal for your Service.

We come to renew to your Majesty the most sincere Protestations, and we could with 'twere possible for us to give more vigorous and more illustrious Proofs thereof in the Course of this Assembly than we have yet done in any preceding.

The measure of our Zeal shall never be that of our Abilities: Whatever the latter be, great or small, entire or exhausted; the other shall still go far beyond, shall be superior to all Events, and nothing shall ever abate it.

That which may weaken the Zeal of others, shall serve but to strengthen ours. The Misadventures of this Life, the Revolutions that happen in all States, may be able to shake the Fidelity of People led on by mean and interested Notions, but they do only confirm that of the Ministers of God, who ought to enter into his Designs, and have more exalted Views.

Let *David* be Fortunate or Unfortunate, the High Priest adheres equally to him, he even declares more loudly in his Favour; and makes greater Efforts to succour him, when he sees him in a greater Danger.

He gives him the Loaves offered to God, which were in the Temple, and of which none but the Priests were permitted to eat. He lets him take the Sword of *Goliath*, Consecrated to the Glory of the Lord, because he had none other to give him, and generously expos'd himself by this Office of Religion to the Death which *Saul* shortly after inflicted on him.

This is a Lesson for us, and an Example press'd on us no less by our Inclination, than our Duty, to be fulfill'd with regard to your Majesty.

If the Current of your Victories has been interrupted by the secret and impenetrable Orders of the Wisdom of God, who doth what he pleases with the greatest Men as well as the least, to shew that all Greatness and all Power proceeds from him. If your Arms, which nothing heretofore resisted, have not since had the same Fortune. If that human Glory which they attracted on you, and which astonish'd the whole World to a degree that the same may be said of it as the Scripture does of the Glory of *Alexander*

March.

' under the Great, That the whole Earth was Silenced at it.
' If this Glory, I say, has receiv'd some Tarnish from
' the Misfortunes of War, our Devotion for your Ma-
' jesty is thereby the firmer and more ardent.

' We adore the Hand that strikes you, and we re-
' spect you the more, if it be possible, under that Di-
' vine Hand, whose wholesome Chastisements render you
' more worthy of Respect in the Eyes of Faith.

' She teaches us, that a too long and too great a Pro-
' sperity is the forerunner of a greater and longer Ad-
' versity, for it will be Eternal, and the continual Hap-
' piness of this Life is the Paradise of the Reprobate.

' Experience no less than Faith teaches this; for is it
' not seen in all Histories, that those Princes who ne-
' ver felt the Hand of God, whom he has suffer'd peace-
' ably to enjoy Pleasures, Greatnesses, and all the Glo-
' ry of this World, without dashing it with any Bitter-
' ness, have been made Drunk with their Prosperity,
' have liv'd in Blindness, and died in Impenitence?

' What therefore the World calls Misfortune and
' Disgrace, are in the Sense of Religion, Benefits and
' Favours; They are Means of meriting a purer and
' more solid Blessing than that of this Life; God reckons
' as nothing what is not Eternal, and does not, in any
' perishable Advantage, find a worthy Recompence for
' his Elect: If therefore he takes from them the false
' Glory of this World, which Men may, as much as
' they please call Immortal, and which is always passing
' away; it is only to prepare them for the only solid
' and truly immortal Glory of Eternity.

' This, Sir, is what we foresee in your Troubles;
' we therein behold with Consolation, the goodness of
' God towards you, and admire with Veneration the
' Courage and the Faith you therein testify.

' This, doubtless, is much more Meritorious than
' the Military Exploits of *Alexander*. This is much
' more deserving of that Admiration which the whole
' Earth fell into before him, and is yet more worthy of
' the Respect, the Love, and the Zeal of your Bishops,
' and of the whole Clergy, ty'd to your Majesty with
' Bands more Pure, more Sacred than the rest of your
' Subjects.

' But that which ought to fill all Men (of what Pro-
' fession soever) with Gratitude, as well as Admirati-
' on towards your Majesty, is the great desire you have
' to give them Peace. They all know what you would
' gladly Sacrifice to procure them so valuable and so
' necessary a Blessing, and that you have only delay'd it

Marab.



to render it more secure, and more solid, and not to take the Shadow and Appearance of a Peace for a real and true Peace.

No Body is ignorant that your Majesty forgets your self, rather than not remember the extreme Necessities of your People; that you Generously abandon your own Interest for their Repose; that even Paternal Tenderneſs, a Feeling ſo juſt, ſo lively, and ſo Powerful, eſpecially with Generous Hearts, cannot ſuperſede the deſire You have to eaſe your People.

What Sacrifice! What Effort of Your Goodneſs for them! But it is certain they have well deſerv'd it, by what they have done and ſuffered for your Service, in Wars ſo frequent, ſo long, and ſo ſevere: And it is reaſonable that as they are the Beſt of Subjects, they ſhould find in You the beſt of Princes.

But it is not the Intereſt of your Subjects alone; it is the Cauſe of all Nations, which You eſpouſe, by labouring ſo earneſtly in the Peace of Europe; for is it not plain, That they every where Suffer, and that Your Enemies, with all the Joy of their Succeſſes, have no leſs the Mortification to ſee their Country ruin'd, their People Groaning like others, and, That they have nothing for them but Events? So true it is, that War is a Univerſal Scourge which God exerciſes on the Proſperous, as on the Unproſperous to puniſh all.

If therefore, Sir, you loſe, by making Peace, if you buy it dear, How Advantageouſly, how Gloriouſly will you be Recompens'd by the Greatneſs of Soul which you will thereby demonſtrate, by the infinite Good you will procure to ſo many Diſtreſſed Nations, and above all by the precious Treſure you will gain aſreſh, in binding to you more ſtrongly than ever the Hearts of your Subjects.

What Riches, what Strength to a King, is the Tenderneſs and Confidence of his Subjects? What finds he not in their Hearts, when they are truly his?

What Empire, (wrote a Great Biſhop to an Emperor) what Empire is better Eſtabliſh'd, and whoſe Foundations are more ſolid and more ſecure, than that which is defended by the Affection and Zeal of the People? Who is there that is more in Safety, and has leſs to Fear, than a Prince that is not Dreaded, but feared for by his Subjects?

What have you not therefore to expect, Sir, from yours, giving them ſuch effective Proofs of your Goodneſs to them?

What

‘ What ought not we to do, in particular, to shew
 ‘ you our Acknowledgment? We who are the Pastors
 ‘ and Spiritual Fathers of your People, more concern’d
 ‘ and more sensible than others, of their Miseries; we
 ‘ who by our Character are Ministers of Peace, oblig’d
 ‘ to pray for it, to desire it, and to procure it by all the
 ‘ Methods that may depend on us?

‘ Happy if we can contribute thereto any way, not
 ‘ only by our Vows, and our Prayers, but also by our
 ‘ Fortunes and Estates. We shall esteem them well
 ‘ bestow’d, in paying so precious a Gift, nor shall be at
 ‘ all apprehensive that we Misapply the same, (which,
 ‘ we cou’d not do without a Crime) in making them
 ‘ serve to ease your People, to obtain them Peace, or to
 ‘ defend them by a Good War from the Fury of your
 ‘ Enemies, and even to defend the Church which is no
 ‘ less Attack’d than your Kingdom; and whose Interests
 ‘ cannot be divided from those of your Majesty, because
 ‘ you are Her firmest and most solid Support.

‘ Heaven Grant that the Mighty and Important Ser-
 ‘ vices which your Majesty has rendred and daily ren-
 ‘ ders to Religion, be speedily Recompenced with a
 ‘ secure and lasting Peace: That God, (on whom only
 ‘ it depends, and who has hitherto refus’d it in his Ju-
 ‘ stice for the Punishment of the sins of Mankind (be-
 ‘ ing pleas’d with the Prayers and Groanings of so
 ‘ many afflicted Nations) may at length in his Mercy
 ‘ grant it. That your Majesty after having long been
 ‘ a Warlike and Heroick *David*, may be the remainder
 ‘ of your Days a Pacifique *Solomon*. That your Days,
 ‘ so precious to us and all your Subjects, may approach
 ‘ as near as possible to those of the Patriarchs before the
 ‘ Flood. That you may yet see Born in your Royal
 ‘ Family many Princes, to perpetuate your Race, and
 ‘ continue it until the Consummation of Time; that
 ‘ you may have the pleasure of Forming them your
 ‘ self, and Inspiring them, by your great Examples and
 ‘ sage Maxims, with Sentiments worthy of their au-
 ‘ gust Birth. But that you may likewise have the Con-
 ‘ solation to see your People happy, that they may sit
 ‘ peaceably according to the Prophet, each Man under
 ‘ his Vine, and under his Fig-tree, without fearing any
 ‘ Enemy; that they may turn their Swords into Plow-
 ‘ shares, and their Spears into Pruning-Hooks: That
 ‘ your Majesty may more and more Reign in their
 ‘ hearts, and still more strenuously maintain therein the
 ‘ Kingdom of God, by a Religion Pure and without
 ‘ Spot, and a Piety sincere and solid, such as becomes
 ‘ a most

March.

a most Christian King, and a most Christian Kingdom.

King's
Commissioners go to
the Assembly. 20.

On the 20th, the Kings Commissioners Messieurs *le Pelletier*, *le Souzy Dagueffau*, Councillors of State in Ordinary, *M. de Pontchartrain* Secretary of State, and *M. Des Marets* Minister of State, and Comptroller-General of the Finances, having repair'd to the Convent of the grand *Augustins*, they were Complimented upon their coming, by the Agents of the Clergy, (the Abbots de *Broglie* and de *Coislin*,) and Conducted into an Apartment which was prepar'd for them. Shortly afterwards the Clergy deputed to receive and wait on them to the Great-Hall of the Assembly, the Archbishop of *Bordeaux*, the Bishop of *Laon*; the Bishop of *Troyes*, the Bishop of *St. Pol de Laon*, the Abbots de *Dromesnil*, *St. George*, *Crillou* and *Ambusson*.

When they were enter'd into the Great-Hall, the whole Assembly rose to salute them, and the Commissioners having taken the Elbow-Chairs prepar'd for them, wherein they all sat down at the same time Cover'd; *M. de Pontchartrain* deliver'd into the Hands of the Abbot *Turgot*, Secretary of the Assembly, the King's Letter, which he carried to the Cardinal de *Noailles* who open'd it, and gave it back to that Abbot to read it to the whole Assembly. It import'd, that his Majesty had sent those Gentlemen, to testify his Intentions to the Clergy, and the esteem he had for them, and that they should give entire Credit to what the *Sieur le Pelletier* should say to them on his Part.

*M. Pelletier's
Speech to
the Clergy.*

The Letter being read, *M. de Pelletier* broke Silence, and began with shewing, the Veneration the King had for the Church, his esteem for the Clergy, and his regard for those who compos'd that Assembly; he afterwards set forth the strict Union there was between the Interests of the State, and those of the Church; how necessary it was for the Clergy to exert themselves in supporting, by solid Means, the just Rights of his Majesty, especially in these Calamitous times, in order to procure to his People a safe and lasting Peace; and concluded that they ought not to content themselves with lifting up their hands to Heaven, but that they ought to imitate that High-Priest, who gave the Shew-bread which was set apart for the Maintenance of the Priests.

*Card. de
Noailles's
Answer.*

The Cardinal de *Noailles* after having given the *Encomiums* which were due to *M. le Pelletier's* Speech, said, That heretofore the Clergy us'd to Assemble only to Concur in the Publick Acclamations, upon the Glorious condition of *France*; but how ruinous soever the

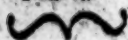
Affairs

Affairs of the same Clergy were at present, their Zeal to serve their Country, and to employ every thing that was in the Power of the *Gallian* Church, for the Defence of the Kingdom was not at all abated, that they were entirely disposed to give the King fresh Proofs of their Respect, of their Affection, and of their just Acknowledgement.

The Commissioners were afterwards reconducted by the same Deputies to the Middle of the Cloyster where they had received them, and two Agents of the Clergy waited on them to their Coaches. On the 27th they returned at the same Hour, and were received as at first; and *M. le Pelletier*, before he enter'd into the Particulars of the Demand he had to make, made a Speech to the following Effect.

THE prudent Man in all his Actions takes the necessary Precautions to procure the desired Success; but this does not depend on his wise Foresight. Thus the Husbandman disposes and chooses with great Care, the Corn he designs to commit to the Earth, and endeavours to find out the Goodness and Temper thereof. The Mariner chooses himself the Vessel wherein he trusts his Life and Fortune. He furnishes it with all things necessary to make his Voyage prosperous, and takes the Opportunity of setting out with a favourable Wind. The General pitches on an advantageous Ground, to range his Army in Battalia, and to make a Disposition which may give him a certain hope of vanquishing his Enemy. Nevertheless it often happens, that the Intemperature of the Air, the Rigour of the Seasons, or some other unforeseen Accidents frustrate the Husbandman's Expectations, and destroy in a Moment the Fruit of all his Labours. The Seas and the Winds frequently break the wise Measures taken by the Mariner; and a bloody Defeat baffles the prudent Dispositions of an experienc'd General. But yet the Husbandman ceases not his Labour; and one thin Crop serves only to redouble his Diligence to make up his Losses by a more kind Harvest. The Mariner repairs his Ship, and puts himself in a Condition to undertake a better Voyage, to make him amends for his Wreck. The General rallies his Troops, recovers his Army, and again makes head against the Foe. We have seen, Gentlemen, the finest Harvest destroyed by the Rigour of the Season, that froze up the Seed in the Earth, which would not so much as restore us the Corn we had entrusted

Another
Speech of
M. Pelletier
to the
Assembly.
27.



A Compleat HISTORY of EUROPE,

‘ trusted her with. We have seen the Spring without a
 ‘ Crop, and the Summer without Fruit; but the like-
 ‘ lihood of a plentiful Harvest, and the Fields all cover-
 ‘ red with a lovely Green, make us already forget our
 ‘ past Misfortunes. The Sea has made us amends for
 ‘ the Disorder she might have occasion’d us, and has
 ‘ brought us Corn which we did not sow. The For-
 ‘ tune of War has been propitious to us in *Spain*, *Ger-*
 ‘ *many*, and *Dauphine*, where we have render’d the Ef-
 ‘ forts of our Enemies fruitless. If Victory has seem’d
 ‘ to hover in the *Netherlands*; if the Enemies have made
 ‘ themselves Masters of some of our Places; they are
 ‘ indebted for it rather to the Scarcity of Provisions,
 ‘ than to their prodigious Efforts. They found in the
 ‘ last Battle, that it cost the Victors more than the Van-
 ‘ quished. If the Fate of our Arms is no longer atten-
 ‘ ded with the long Series of numberless Successes that
 ‘ it was formerly, ’tis the least you can do, Gentlemen,
 ‘ to make new Efforts to put his Majesty in a Condi-
 ‘ tion to withstand his Enemies, or to restore Tranquil-
 ‘ lity to *Europe* by a good and lasting Peace. All his
 ‘ Majesty’s Subjects do unanimously concur in granting
 ‘ him fresh Supplies. The Court has not only divested
 ‘ it self of its superfluous Ornaments, but even of its
 ‘ Plate, and Things which seem’d most necessary for it.
 ‘ The Magistrates have proved their Zeal, by their Ea-
 ‘ gerness to redeem the Capitation: We are persuaded,
 ‘ Gentlemen, that you will follow such excellent Ex-
 ‘ amples. Besides the Interest which is common to you
 ‘ with them, there is one, which is peculiar to your
 ‘ selves. We do not only fight here in Defence of
 ‘ your Civil Rights; the Cause of God is at Stake: We
 ‘ must endeavour to hinder the Prophanation of your
 ‘ Churches, and to keep out Heresy, which is even
 ‘ ready to penetrate into the Heart of this Kingdom.

His De-
 mands of
 Money.

He afterwards made a Demand of 24 Millions by way of Loan on the twelfth Penny for the Redemption and perpetual Extinction of the Subsidy which is in Lieu of the Capitation; and the Cardinal *de Noailles* answered, that the Assembly was entirely dispos’d to grant the King what his Majesty demanded of them; with which the Magistrates of *Paris* were so much pleas’d, that they thought fit to compliment them there-upon, and Monsieur *Bignon*, Provost of the Merchants, made unto them a fine Speech on that Occasion.

In or about this time the King, now the Duke *de Bourbon*, who had all the Funeral-Honours that were paid

paid to the Prince of *Condé* his Father, was dead; settled the Ranks of all the Princes and Princesses of the Blood. Mademoiselle the Daughter of the Duke of *Orleans* was to give Place to the Princesses of *Conti*, but to precede the Dutcheß *du Maine*: The Duke *de Chartres* Son of the Duke of *Orleans* was to have the Pension of first Prince of the Blood, and to retain, as was said, the Name of Duke of *Chartres*, because he is to succeed to the Title of Duke of *Orleans* which is accounted to be above that of *Monsieur le Prince*. The Duke *d'Enguien* was to take upon him the Name of Duke *de Bourbon*, the Count *de Charolois* his Brother to be called Duke *d'Enguien*, and the Third Brother, who is very young, is to be called Count *de Charolois*. The Duke *d'Enguien* not being yet of sufficient Age to exercise the Functions of Governor of the Dutchy of *Burgundy*, and of Great Master of the King's Household, his Majesty had named the Marquis *d'Antin* for Administrator of that Government, and Inspector of his Majesty's Household; but the Duke *d'Enguien* was to appear as Great Master on Publick Occasions.

March.

French King settles the Ranks of the Princes

France was all this while cracking what mighty Feats *Philip* would perform in *Spain*, where indeed they had the good News of the Arrival of the *Flotilla* from *Vera-Cruz*, which put into *Cadiz* on the 3d, to the Number of Eight *Spanish* Ships, in Company with two *French* Men of War and three large Ships from *St. Malo*; and all Letters agreed, that they had a great Treasure on Board, and some saying that they brought in Gold and Silver 4 Millions of Crowns in Pieces of Eight, and 5 Millions more in Goods. They added, that King *Philip's* Share of the *Indulto* would amount to about two Millions of Crowns; and that the *French* carrying on their Trade in the *West-Indies* to the Prejudice of the *Spaniards*, King *Philip* published a Decree, ordering all *French* Merchants and Factors to depart his Dominions in *America*.

Flotilla arrives at Cadiz. 3.

Having no farther Occasion to tarry in *Spain*, it will not be improper to report a Glorious Action performed this Month by two *Bristol* Ships against the Enemy in the *West-Indies*, before we come to the Domestick Affairs of *Britain*, which was thus represented in a Letter from *Antegoa*.

Glorious Action of two Bristol Ships

ON Friday the 20th arrived the *Cesar* Galley and *Scipio* Frigot, both of *Bristol*, the first commanded by Captain *James Day*, and the other by Captain

in the West-Indies.

Isaac 20.

April.

Isaac Edwards, who is bound to Jamaica, the other tarries here. To the Windward of this Island they fell in with two Martinico Privateer Sloops, the one called the *Dragon*, the other the *Virgin-Queen*, who chased the Ships as far as St. John's Harbour, where they came up with the Ships, and both boarded Captain Day, who most bravely defended his Ship, and after a very long and sharp Dispute took the *Virgin-Queen*. The other Sloop being disabled by the loss of her Boltsprit and several of her Men, was obliged to cut off, which Captain Edwards likewise took, and though Captain Day happened to be boarded and receive the brunt of the Action, yet I do assure you Captain Edwards must also be very much applauded; for he contributed all that was possible to the others Assistance, by coming up as soon as he could, which was in a very small space of time, discharging his Broadside and small Arms on the Privateers as they were long side of the other, and attacking and taking the *Dragon* presently after she left the other Ship. In short, they behaved themselves very Gallantly. The Action was so near the Harbour, that my self and several others from the Town and adjacent Hills were Occular Witnesses to the same. There were two Sloops Mann'd and sent out with great Expedition to assist the Ships, but the Action was over before they could get up to them. The Privateers had most of their Men killed and wounded, of which Wounds several have died since they were brought in. Captain Day had two killed and four or five wounded. Captain Edwards had one wounded but none killed, and if all Commanders made the same Defence, the Privateers in these Parts would hardly dare to venture on a Ship of countenance. The *Tyger* of *Liverpool* was lately burnt by a French Privateer Sloop, but she paid dear for the Attempt; forty odd of her Men being killed on the Spot besides twenty odd wounded. This happened some time past, so I presume you'll hear thereof before this gets to hand, wherefore I won't enlarge thereon, only to say, I hope this and the other will discourage the Privateers and make them cautious of venturing on Ships of any tolerable Defence.

Promotion
of Military
Officers.

One of the first things that occurs to us at Home, is, That her Majesty was now pleased to make a Promotion of several Officers, and they were these that follow: Lieutenant-General, Lord Shannon, Marquis de Montandru, Lord Mountjoy, Richard Gorges, Nich. Sankey, Earl

Earl of Crasford, Henry Holt, Duke of Northumberland, George Carpenter, George Macartney, Sir Rich. Temple, Lord North and Grey, Earl of Stair. Majors-G. Tho. Sandasyde, John Bayne, Barth. Ogilby, Sher. Davenport, Heyman Rook, Tho. Whettham, John Livesay, Edward Braddock, Gilbert Primrose, William Tatton, Joseph Sabins, Edward Pearce, Roger Elliot, Tho. Pearce, Will. Evans, Joseph Wightman, John Newton, Tho. Crowther, Charles Sibourg, Richard Holmes, Geo. Kellum, John Pepper. Brigadiers, John Stewart, Lord Ikerin, William Watkins, Earl de Laraine, Lord Paston, William Breton, Richard Sutton, Henry Durell, Richard Russell, Henry Morrison, Samuel Masham, Jacob Borr, Earl of Rochfort, Hans Hamilton, Lord William Hay, Lord John Carr, Francis Godfrey, John Hobart, Lewis Mordaunt, Tho. Ferrar, Nicholas Lepell, Tho. Stanwix, Sir Charles Horham, James Nicholson.

As for Parliamentary Affairs, the Commons having now gone through with their work for Supplies and otherwise, and the Bills being ready for the Royal Assent by the 5th, her Majesty went to the House with the usual Solemnity, and passed the following Publick Bills.

Acts passed
5.

1. ' An Act for continuing several Impositions and Duties upon Goods imported, to raise Money by way of Loan, for the Service of the Year, 1710. and for taking off the over Sea Duty on Coals exported in British Bottoms, and for better preventing Frauds in Draw-backs upon Certificate Goods, and for ascertaining the Duties imported in Venetian Ships, and to give farther time to Foreign Merchants, for Exportation of certain Foreign Goods imported, and to limit the time for Prosecutions upon certain Bonds given by Merchants, and for continuing certain Fees of the Officers of the Customs, and to prevent Imbezillments by such Officers, and for appropriating the Monies granted to her Majesty and for replacing Monies paid or to be paid, for making good any Deficiencies on the Annuity Act, and for encouragement to raise Naval Stores in her Majesty's Plantations, and to give farther time for Registring Debentures, as is therein mention'd.

2. ' An Act for explaining and enlarging an Act of the 6th Year of her Majesty's Reign, entituled, *An Act for the Security of her Majesty's Person and Government.*

3. ' An Act for discharging the Attendance of Noble Men, Baronets, Freeholders, upon the Lords of Justiciary in their Circuits, in that part of Great Britain, call'd Scotland, and for abolishing the Method of exhibiting

April.

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April.

exhibiting Criminal Informations by the Porteous Roll.

4. An Act for raising the Militia for the Year, One thousand seven hundred and ten, although the Months Pay formerly advanced be not repaid.

5. An Act to Regulate the Price and Assize of Bread.

6. An Act for the better Security of Rents, and to prevent Frauds committed by Tenants.

7. An Act for explaining and making more Effectual an Act, for the better enabling the Master, Wardens and Assistance of *Trinity-House*, to rebuild the Light-house on the *Edystone Rock*.

8. An Act for making more effectual the Act for Repairing the Highway between *Fornbil* in the County of *Bedford* and *Stony-Stratford*, in the County of *Buckingham*.

8. An Act for the Encouragment of Learning, by Vesting the Copies of printed Books, in the Authors or Purchasers of such Copies during the times therein mentioned.

10. An Act for Vesting certain Lands, Tenements and Hereditaments in Trustees, for the better Fortifying and Securing the Harbours and Docks at *Perismouth*, *Catham*, and *Harwich*.

And Thirteen Private Bills.

After which her Majesty made the following Speech to both Houses.

My Lords and Gentlemen,

The Queens Speech to both Houses. **I**T is with great Satisfaction that I come hither at this time, to return you my hearty Thanks for the Marks of Duty and Affection which you have given me thro' the whole Course of this Session.

And I am to thank you, Gentlemen of the House of Commons, in a very particular manner, for the great Dispatch which you have made in providing, so early in the Year, such great and effectual Supplies for the Publick Service: This cannot but make me very desirous to repeat the Assurances I gave you at the opening of the Session, that they should be very carefully applied to the Uses for which you have designed them.

My Lords Gentlemen,

I cannot sufficiently express to you my great Concern that you have had so necessary an occasion of taking up a great part of your time towards the latter end of this Session.

I am

April.

I am confident no Prince that ever sat on the Throne has been more really and sincerely kind to the Church than my Self, nor ever had a more true and tender Concern for its Welfare and Prosperity than I have, and always shall continue to have.

The suppressing Immorality, and prophane and other wicked and malicious Libels, is what I have always earnestly recommended, and shall be glad of the first Opportunity to give my Consent to any Law that might effectually conduce to that End: But this being an Evil complained of in all Times, it is very injurious to take a Pretence from thence to insinuate that the Church is in any Danger from my Administration.

I could heartily wish that Men would study to be quiet, and do their own Business, rather than busie themselves in reviving Questions and Disputes of a very high Nature, and which must be with an ill Intention, since they can only tend to foment, but not to heal our Divisions and Animosities.

For my own part, as it has pleased God to give Success to my Endeavours for the Union of my two Kingdoms, which I must ever Esteem as one of the greatest Blessings of my Reign, so I hope his Divine Goodness will still continue favourable, and make me the happy Instrument of that yet more desirable Union of the Hearts of all my People in the Bonds of mutual Affection, that so there may remain no other Contention among you; but who shall exceed the other in contributing to advance our present happiness, and secure the Protestant Succession.

Finding by the Advices from Abroad, that our Army has not yet taken the Field, and that the Plenipotentiaries of France are still in Holland, I think it proper at present to make the Prorogation but for a very short time.

After which the Lord Chancellor, by her Majesty's Command, Prorogued the Parliament until Tuesday the 18th Instant.

On the 15th her Majesty was pleased to make his Grace, Charles Duke of Shrewsbury, Lord Chamberlain of her Household in the room of the Marquis of Kent, who now resigned that Office, and whom her Majesty in Consideration of his faithful Services, with which she was very well satisfy'd, was pleased to advance to the Dignity of a Duke of this Kingdom, by the Name of Duke of Kent; he being the first Duke she made since the Union of the Two Kingdoms. The Duke of Shrewsbury upon his being made Lord Chamberlain, was also sworn of her Majesty's most honourable Privy Council.

Duke of Shrewsbury made L. Chamberlain, and the Marquis of Kent a Duke.

25.

Reflections on the D.

The Whigs, who knew the Duke of Shrewsbury came over with the Prince of Orange, had a great hand in bringing about the Revolution, and was very firm to the Whiggish Interest all the time he was in Play in King

G g

King berlain.

April.

King William's Reign, were not at all displeased, but rather seemed to be abundantly satisfy'd with this Change. But the Tories shewing an equal likeness for it, this began to alarm the other Party, as if there was a Snake in the Grass, which they could not yet find out: I shall say no more of this, but the Event will shew which of them had the best Grounds for their Satisfaction.

But before this Turn, as the Ferment continued as high as ever, or rather higher in *London*, the Infection had also spread it self far and near in the Country, and began to appear very visibly in the end of the last Month as far as *Shrewsbury*, of which take an Account in a Letter to the Earl of *Bradford*, Lord Lieutenant of the County of *Salop*, which he commicated to the Earl of *Sunderland* Secretary of State, in these Words.

Letter to
the Earl
Brad-
ford
about some
Tumultu-
ous Pro-
ceedings at
Salop.

YOUR Lordship's Absence from this County, occasioned by your Attendance in Parliament, obligeth us to transmit to your Lordship the following Account.

The Affidavits annexed, and whereto we crave leave to refer your Lordship, contain a Representation of certain Facts, which have happened on *Friday* the 31st of *March* last, (being the Commission-Day for holding the Assizes for this County) and during the Assizes.

We are very sensible of the evil Example and dangerous Tendency of such tumultuous Proceedings at all times, but more especially, when the respect due to her Majesty's Authority, and those Commissioned by her for the Administration of the Publick Justice, makes it incumbent on all Persons, and more particularly on those in Authority, not to encourage, but to prevent such Disorders.

But we consider those Seditious Practices with greater Indignation, because they appear to us intended as a publick Reflection on the late Proceedings in Parliament against *Dr. Henry Sacheverell*, and such Members of the House of Commons who appeared in the Service of the House on that Occasion; and were meant to Aberr and Justifie the dangerous Tenets, which have been vented by that Person, so highly to the Dishonour of her Majesty's Government and Administration, and which have received the just Condemnation of both Houses of Parliament.

Your Lordship will find by the Certificate and Affidavit annexed, that one *Thomas Tewds*—who was concerned in the said Tumultuous Proceedings, hath since

‘ since that time refused to take the Oaths to the Government.

‘ We take Leave to inform your Lordship further, that during our Attendance at the Assizes, some of us received Intimation of a Design of some Persons concerned in the before-mention’d Tumults, to procure an Address to her Majesty; but the Sense of the Majority of the Gentlemen who served on the Grand Jury, and who attended at the Assizes, being well known to be very opposite to all Seditious Attempts, no such Address was publicly tendered to the Grand Jury, in the manner wherein such solemn Transactions really intended for the Honour and Service of the Government, and Peace of the Kingdom, have been usually done.

‘ But since the Grand Jury have been discharged and some of them gone out of Town, an Address hath been carried about this Town to many Publick Houses about Ten a Clock at Night in order to procure Hands to it.

‘ Your Lordship can very well judge how much of the Sense of this County is expressed in the Opinions of those Persons who shall appear to have subscribed that Address; but we think we should have been wanting in our Duty to your Lordship, if we had not given you this Account of the Clandestine and unusual Manner by which it hath been obtained.

‘ We cannot doubt of your Lordship’s favourable Reception of this Representation, by which we are desirous to express to your Lordship our hearty Concern and Regard for the Quiet and Happiness of her Majesty’s Government, and our Dislike of such Shameful and Tumultuous Actions, designed to cast an Odium upon the Proceedings of both Houses of Parliament, to inflame her Majesty’s Subjects, and to disturb the Publick Peace.

‘ The due Consideration of all which Matters is most humbly submitted to your Lordship, by

*Your Lordship’s
Most Obedient,
Humble Servants,*

Robert Corbet, Edward Leighton, J. Bridgeman,
George Weld, John Lacon, Fr. Berkelay, Robert
Clive, Barth. Beale, Ro. Edwards, Tho. Aston.

To this Letter the Earl of Sunderland was pleased to return the following answer.

G g 2

My

April.

Earl of
Sunder-
land's
Answer.

My Lords,

Whitehall, April 10. 1710.

I Have laid before the Queen the enclosed Papers, which your Lordship had communicated to me, giving an Account of the disorderly, and tumultuous Behaviour of some Persons at or near *Shrewsbury*, the most active of which appears to be a Non-juror, who seemed by their Actions to set the Government at Defiance, and were endeavouring Clandestinely to procure an Address in the Name of the County, though contrary to the Sense of the greater Number, and those the most considerable of the Gentlemen of the Grand Jury, and others present at the Assizes there, upon Matters very unacceptable to her Majesty: Who did thereupon in a very earnest manner express her Dislike of these Riotous and Seditious Proceedings, promoted by Papists, Nonjurors, and other Persons disaffected to the Government, and of dangerous Principles, and did command that your Lordship should let the Gentlemen who sent you these Papers know, how graciously She accepts this so seasonable a Mark of their Loyalty and Zeal for her Person and Government, of which She desires their Continuance in going on to suppress such Practices, by which the publick Peace is broken, and which tend to nothing less than the total Subversion of our present Happy Constitution, and that it is her Majesty's Pleasure they should effectually prosecute the Offenders with the utmost Severity of Law. Her Majesty, from what these Gentlemen have already done, does not doubt of their ready Compliance with these her Commands, and is fully perswaded your Lordship will not be wanting to encourage them in it, by giving them all the Countenance and Assistance in your Power, I am,

My Lord,

Your Lordship's

Most Obedient

Humble Servant,

SUNDERLAND.

The Tories were not at all discouraged with this Repulse; they knew very well what they did: They presently gave out, to wipe off the Scandal, that *Trevel* had qualified himself, and so was as *rectus in Curia* as any of the Party, and an Address they were resolved upon; being an old beaten Tract which long Experience had taught them was the likeliest way to carry their Point. The first Address, as I take it, in Point of Time, was
that

that of the High Sheriff, Justices of the Peace, Grand Jury, and other Gentlemen of the County of *Hereford* assembled at the Assizes held there on the 25th of *March*; but 'tis certain that of *Glocester*, from Gentlemen of the same Rank and Stamp, was the first that was presented to her Majesty, on the 5th Instant; where they said they did gladly embrace that Opportunity of giving her Majesty their hearty and solemn Assurances, that they now were, and always should be ready to sacrifice their Lives and Fortunes in Defence of her Majesty's most sacred Person, &c. and the Church of *England* as by Law established, and its Apostolical Doctrine and Ordinances, against all Republican and Traiterous, Factious and Schismatical Opposers at home, &c. That they in their several Capacities to their utmost, would endeavour to suppress all seditious Tenets, Immoralities and Prophaneness; and in the ensuing Parliament chuse such Representatives as were most affectionately dutiful to her Majesty, religiously zealous for their holy Church, &c.

*Glocester
Address.*

This Address was refused to be admitted into the *Gazette*; however 'twas printed in other Papers, and industriously dispersed; nay, the *Paris-Gazette* with *Paris Ga-* much Gaety was pleas'd to inform us, it was presented by *Allen Bathurst*, Esq; introduc'd by the Duke of *Beau-* ford; and sign'd by six and twenty Gentlemen of the County; tho' our Home-Writers would allow them to be but fifteen; that the Address was very favourably received by Queen *ANNE*; but however they were assured, the Commons, especially the *Presbyterians*, were inclined to summon the Authors before them, but that they chang'd their Opinions, when they understood that several Counties had inclined to do the same, as *Gloucester* had done.

How the Commons, the Parliament being prorogued the same Day this Address was presented, could have Time to deliberate about punishing the Authors of it, is beyond my Skill to unriddle: I am apt to think, there is as much, if not more, Truth in what he says in the same Libel, that the People of *Exeter* burnt the Effigies, and Books of Mr. *Hoadly* the same Day as Dr. *Sackverell's* two Sermons were burnt before the *Royal-Exchange*, by the House of Lords Order.

It cannot be compatible with this Work to give the Multitudes of Addresses *Pro* and *Con* presented to her Majesty, in this, I may say, irregular and disorderly Time: It's enough I do observe, that the City of *Exeter*, County of *Cornwall*, *Devonshire*, *Wiltshire*, *Northamptonshire*, &c.

April.



etc. followed the Party and Example of Gloucester, within the Compass of this Month: So did the City of London. The Author aforesaid is indeed so ingenuous as to tell us it was opposed by several Members, but that however it was carry'd in the Affirmative by a Plurality of nineteen Voices.

London-
Address.

The Address was from the Lord-Mayor, Aldermen, and Commons of the City of London, wherein among other Things they take Notice of the *daring and insolent Attacks* that had been publickly made on their most happy Constitution (of which Her Majesty's Prerogative was so essential a Part) by infusing Republican Notions into the Minds of her Subjects, by printing and publishing seditious and scandalous Books and Pamphlets; and therefore they most humbly craved leave to declare their hearty Detestation of all Antimonarchical Principles, and to assure Her Majesty of their steady and unshaken Loyalty; and having promised to stand by her Majesty and the Church, they promised to have a tender Regard to all Persons of Consciences truly Scrupulous: The Doctor's very Phrase! He is sure all those that wish well to the Church are very ready to grant an Indulgence to Consciences truly Scrupulous. But to come to the Close of this Address, which, a modern Author with Satyr enough says, is far from Horace's Description, in the beginning of his Epistle to the Pisto's, a Woman's Head to a Fish's Tail, in the Composition of his Monster; the lower Parts having the Form of Peace and Truth, as the upper have of Nonsense and Discord: And in Obedience to your Royal Commands, we will use our utmost Care and Diligence to prevent and suppress all riotous and tumultuous Assemblies, and with undoubted Vigour (to the last) oppose all Persons, both at home and abroad, who shall attempt to disturb the Peace of your Glorious Reign, or Serenity of your Royal Mind.

Remarks
on the
London-
Address.

He adds a Loyal and English Resolution, and they kept it well! but they cou'd not help, even in this, to be a little inconsistent too; as if there was a Fate on the Party not to agree with themselves, which is impossible. For he who is once out of the right Path, the farther he goes, makes every Step wrong, tho' some may be less so than others. That those Riots and Tumults were caus'd by the very Men who cry'd out against Republican Notions, Antimonarchical Principles, and rebell'd to carry their Point of Non-Resistance. But lest some positive Persons, after all has been said, would have this Address to be entirely Orthodox, because it came from London, and that the Sense of the City was certainly to be seen in it, now the Doctor had open'd the Eyes of the Deluded People in that great Metropolis, in his own just and modest Expressions.

April.

It's not unseasonable to look a little into the Address of her Majesty's Commissioners of Lieutenancy of the City of London; the same Author premises, 'Tis well known they are the most *Worthy and Wealthy Part* of the City, and their Body much more considerable than that of the Commons. For tho' the *Wealthiest and Worthiest* of that Assembly are generally of the Lieutenancy, yet the Government makes a *Distinction*; and we find none among 'em of the *Fortune and Figure* of some Commons about Paul's, &c. We do not pretend that the Sense of a City is infallibly lodg'd in its Deputy Lieutenants; but when they have Reason and Law on their side, 'tis very probable they speak the Minds of all loyal and reasonable Persons. The Lieutenancy assure her Majesty, They are deeply sensible of that Obedience and Submission they owe to her Majesty's Administration, and beg leave humble to assure her that they have the utmost Detestation and Abhorrence of the *Rebellious Tumults and Disorders* set on foot against her Majesty's Person and Government, in *Defiance* of the late Proceedings of the High Court of Parliament, in Prosecution of that Impeachment. And being fully satisfy'd these Tumults have been rais'd and fomented by none but *Papists and Nonjurors*, and other such-like disaffected Persons, who aim at the entire Subversion of our present Establishment, they, &c. did their utmost to suppress them: And we take this Opportunity, say the same Addressers, to assure Your Majesty that we will upon all Occasions defend your Majesty's Person and Government, your Rightful and Lawful Title to the Imperial Crown of these Realms, with the Hazard of our Lives and Estates, against all that shall go about to prejudice the late happy Revolution, your Majesty's present most gracious Administration in Church and State, the Succession in the Protestant Line, the Church of England as establish'd by Law, or the Toleration allow'd to Protestant Dissenters: Being fully perswaded that all such Wicked and Malicious Attempts and Tumultuous Practices, together with the Seditious Pamphlets which have been of late reviv'd, and industriously dispers'd, can have no other Tendency than to subvert the Foundations of our Present Happiness and Tranquility.

In the mean time Dr. Sacheverell was become the Idol of the People, and especially among the fair Sex, they flock'd in Crowds into the Churches where he read Prayers; they sent for him frequently to baptize their Children, and several were christned of his Name; the Managers against him in the Countries were despised by many, and those that were of his Council caressed and presented: High-Church was grown exceeding active, and Low-Church, who never were thought to be Ex-

Dr. Sacheverell popular, &c.

April.

vourers of the Doctrine of Passive-Obedience, began themselves to grow Passive, beyond all Expectations.

But not to dwell altogether upon our unhappy Divisions, we shall by Way of Diversion entertain the Reader with the Arrival of our *Indian Kings* at this Time in *England*. Notwithstanding the Inhabitants of *New York* and *New England* have, ever since their Settlement in those Parts, held Correspondence with the *Indian Nations* called in general by the *French Iroquois*, and that several Treaties of Alliance have been made between them, none of these Nations had yet thought fit to send any Ambassadors of their own to the Court of *England*, and therefore they had but a very imperfect Notion of the Power of that Crown; whereas the *Jesuits* and other Missionaries the *French* sent amongst them, were perpetually preaching unto them the Glory and Power of their King and Nation, as if all others were tributary to them. Therefore the Chief of our Colonies perswaded the said Nations to send hither their Kings or Chiefs, this being the most effectual Means to convince them of the Falsities spread by the *French*, and that it is their Interest to enter into a strict Alliance with the Queen's Subjects against the Encroachments of the *French* their common Enemy. All that I shall observe of these Nations, is that they lye between *New-England*, *New-York*, *Virginia*, and the *French* Settlements along the River *St. Lawrence*, and the Lake *Ontario* and *Erie*, so that they are a Barrier for the *British* Dominions. These Kings called *Ti Neen Ho Ga Prow*, 2d. *Saga Yeau Qua Prah Ton*, 3d. *Elow Oh Kwom*, 4th. *Oh Nee Yeash Ton No Prow* being arrived here, had on the 19th. their publick Audience of the Queen at *St. James's*, being conducted thereunto in great Solemnity by *Sir Charles Cotterel*, Master of the Ceremonies, with two of her Majesty's Coaches, where they made the following Speech to her Majesty.

G R E A T Q U E E N.

Indian
King's
Speech to
the Queen.
19.

WE have undertaken a long and tedious Voyage, which none of our Predecessors could ever be prevailed upon to undertake. The Motive that induc'd us, was, That we might see our GREAT QUEEN, and relate to her those things we thought absolutely necessary for the good of Her and Us her Allies, on the other side of the Great Water.

We doubt not but our Great Queen has been acquainted with our long and tedious War, in Conjunction with her Children (*meaning Subjects*) against her Enemies the *French*: And that we have been as a strong

Wall

April.

Wall for their Security, even to the loss of our best Men. The truth of which our Brother *Queder*, Col. *Schuyler*, and *Anadagarjau*, Col. *Nicholson*, can testify; they having all our Proposals in Writing.

We are mightily rejoiced, when we heard by *Anadagarjau*, that our Great Queen had resolved to send an Army to reduce *Canada*; from whose Mouth we readily embrac'd our Great Queen's Instructions: And in Token of our Friendship we hung up the Kettle, and took up the Hatchet; and with one Consent joined our Brother *Queder*, Col. *Schuyler*, and *Anadagarjau*, Col. *Nicholson*, in making Preparations on this side the Lake, by building Forts, Store-Houses, Cannons and Battows; whilst *Anadisia*, Col. *Vetch*, at the same time, raised an Army at *Boston*, of which we were informed by our Ambassadors, whom we sent thither for that purpose. We waited long in Expectation of the Fleet from *England*, to join *Anadisia*, Col. *Vetch*, to go against *Quebeck* by Sea, whilst *Anadagarjau*, *Queder*, and we went to *Mont-Royal* by Land: But at last we were told, that our Great Queen, by some important Affair, was prevented in her Design for that Season. This made us extremely sorrowful, lest the *French*, who hitherto had dreaded us, should now think us unable to make War against them. The Reduction of *Canada* is of such Weight, that after the Effecting thereof, we should have Free Hunting, and a great Trade with our Great Queen's Children: And as a Token of the Sincerity of the Six Nations, we do here in the Names of all, present Our Great Queen with these Belts of *Wampum*.

We need not urge to our Great Queen more than the Necessity we really labour under obliges us, That in case our Great Queen should not be mindful of us, we must with our Families forsake our Country, and seek other Habitations, or stand Neuter; either of which will be much against our Inclinations.

Since we have been in Alliance with our Great Queen's Children, we have had some Knowledge of the Saviour of the World; and have often been importun'd by the *French*, both by the Insinuations of their Priests, and by Presents, to come over to their Interest; but have always esteem'd them Men of Falshood: But if our Great Queen will be pleased to send over some Persons to instruct us, they shall find a most hearty Welcome.

We close all, with Hopes of our great Queen's Favour; and leave it to her most Gracious Consideration.

These

April.

These Princes Expences were defray'd at the Queen's Charge; however, they were magnificently entertain'd by several of the Nobility and Gentry; and being present at the Review of the Guards in *Hyde-Park*, they made a Speech to the Duke of *Ormond*, who was at their Head: which was interpreted to his Grace by Colonel *Scriber*, Governor of *New Chester*.

They have
some Con-
ferences
about the
Christian
Religion.

As the *Indian* Kings had mentioned the Article of Religion in their Speech, and said, that they had had some Knowledge of the Saviour of the World, they had Conferences with the Society for the Propagation of the Gospel. It's certain the Popish Missionaries take indefatigable Pains to convert them; but to give an Instance of the Doctrine they teach them, it will be enough to observe in this Place two of the Questions of their Catechism they teach to those *Indians*. Question, *Where was the Saviour of the World born?* Answer, *In France*. Question, *Who Crucify'd the Saviour of the World?* Answer, *The English*. This is sufficient that in Point of Interest as well as Religion we are obliged to undeceive that People, seeing the *French*, under Pretence of teaching them the Christian Religion, inspire them with an irreconcilable Hatred for our Nation.

Those Kings having in several Conferences with the Council of Trade settled the Affairs for which they were come hither, set out to embark for *Portsmouth* to return home, and being arrived at *Southampton*, Admiral *Aylmer*, Commander of her Majesty's Fleet, sent his Yacht to bring them to the Fleet, where they arrived the 6th of *May*. They Din'd with the Admiral the 7th, and the 8th failed to return Home on board her Majesty's Ship the *Dragon*. They were Men of good Presence, and those who had conversed with them said, That they had an exquisite Sense, and a quick Apprehension. One of them spoke *High Dutch*, and some said his Father was a Native of *Germany*.

Third and
Fourth
Conferences
at Ger-
truyden-
burg. 6.
23.

Having thus dispatch'd the Domestick Affairs of *Britain*, we return again to the Negotiations of Peace at *Gertruydenburg*, where a third Conference was held on the 6th, and a Fourth on the 23d. The main Point debated in these Conferences was the Partition before-mention'd. And that no Obstruction to a general Peace on this Foot on the part of *England* might arise from the Address of the two Houses, Care was taken by the Duke of *Marlborough* and the late Ministry that the Parliament should not be prorogued in the Spring as usually; but that the Session should be continued by short Adjournments, till all Hopes of Peace were at an end,
that

that the Queen might have their Concurrence to agree to such a Partition as they should think reasonable. The King of *France* was willing at last to recede from *Naples* being part of it, but insisted on the rest, and would by no means consent to quit the Towns on the Coast of *Tuscany*, which his Grandson had still Possession of. And as he was unwilling to give up these, so the Deputies could not consent to part with *Sardinia*, which was already in the Emperors Possession. So that on the part of the Allies the Deputies were unwilling to part with any thing of the Partition propos'd but *Sicily*, and the French would quit nothing but *Naples*. The Allies were willing to give something for a General Peace, and 'twas thought *France*, if they were sincere, would be willing to take any thing. And this the Allies had the more reason to expect from the turn the Campaign was like to take. The Duke of *Marlborough* and Prince *Eugene*, who left the *Hague* the 14th, having pass'd the *Scarpe* without opposition the 20th, of which the States had the welcome News time enough for the Deputies to carry it with them to the fourth Conference. But this Success, which put *France* into a great Consternation, had in appearance no effect on them. They pretended they had no Power to recede from their last Demands, but would send to Court for farther Instructions; for which they were allowed till the 8th of *May*. And so we leave them and proceed now to the Camp. It was given out the Confederate Army was to consist of 130000 Men of the finest Troops in the World, but they must certainly fall somewhat short of that Number. The Allies open'd the Campaign with the Attack of *Mortagne*, of which, and the retaking of it by the French, the Earl of *Albemarle* gave the following Account to the States.

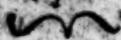
April.
French
recede from
Naples.

High and Mighty LORDS,

According to the Project concerted with Lieutenant-General *Cadogan*, for the Execution of a Design upon *Mortagne*, I made the necessary Dispositions and Preparations to attack that Place with 6 Vessels, 6 Pieces of Cannon, and 300 Men. The Attack was made the 14th Instant at break of Day with so much Success, that the Enemies seeing our Vessels advanced on three sides to the very Gates of the Castle, and our Cannon firing upon them, thought it necessary to surrender that Post after a small Resistance, and a Captain, call'd *Jacob*, four Subalterns, five Sergeants and 65 private Men were taken Prisoners, including those that were detach'd in a Redoubt, and the Town-House

Earl of
Albe-
marle's
Letter
about
taking,
and the
French
retaking
Mor-
tagne.
16.

17th April.



House, which Posts surrender'd likewise as soon as we were Masters of the Castle. We found nothing therein but one Tun of Gunpowder, and one Barrel of Ammunition-Meal. I left therein Captain *Henne* with his free Company and 20 other Men to *lock* the Castle, and posted 15 Men in the Town-House, 10 in the Redoubt; but the Enemies by means of the Gallions they have at *Conde*, on which they planted seven or eight Pieces of Cannon, attack'd the Post Yesterday Morning by Favour of a great Detachment of Infantry, and took the same after 12 Hours Resistance, with 50 Men that were slain. General *Cadogan*, who arrived here Yesterday, is of Opinion, That considering the great Convenience of the Situation of that Post, it is absolutely necessary to take the same, and I intend to go with him this Morning to take a view of the Posture of the Enemy, and to advise how to dislodge them from thence without Loss of Time, which will be facilitated by the Troops which are to arrive to Morrow in this Neighbourhood. The Chevalier de *Luxemburgh* encamped two Days ago with eight or ten Battalions at the Mills called *Loup*, behind *St. Amant*, with a Design, as it is likely to support the Post of *Mortaigne*. If we were free from the Inundation, it would much facilitate the retaking of *Mortaigne*, and the putting of that Post into a good Posture of Defence. I use all possible means to let the Waters run, but must use a great deal of Caution, and not give them a full Passage, for fear of causing the *Scheldt* below this Place to overflow its Banks, which would hinder the laying of our Bridge on the same, and stop our Mills, which Night and Day are at Work to grind Corn for the Subsistence of the Army. I remain, &c.

Sign'd

ALBEMARLE

The Allies
retook
Mor-
taigne.

18.

Pursuant to the Resolution taken and contained in this Letter the Allies caused the Post of *Mortaigne* to be attack'd the 18th, with a Detachment of 600 Men of the Garrison of *Tournay*, some Vessels and Cannon, and took the same, notwithstanding the Enemy was assisted in the Defence thereof by 12 or 15 Gallions from *Conde*. The Cannon they had planted on the Heights of *Mande*, and some Troops detached from the Body of the *Count de Felz*, contributed very much thereunto. The Garrison consisted of Four Captains, Six Lieutenants, several Sergeants, and 200 Grenadiers, who were all taken Prisoners. The Allies left therein 200 Men, with four Pieces of Cannon.

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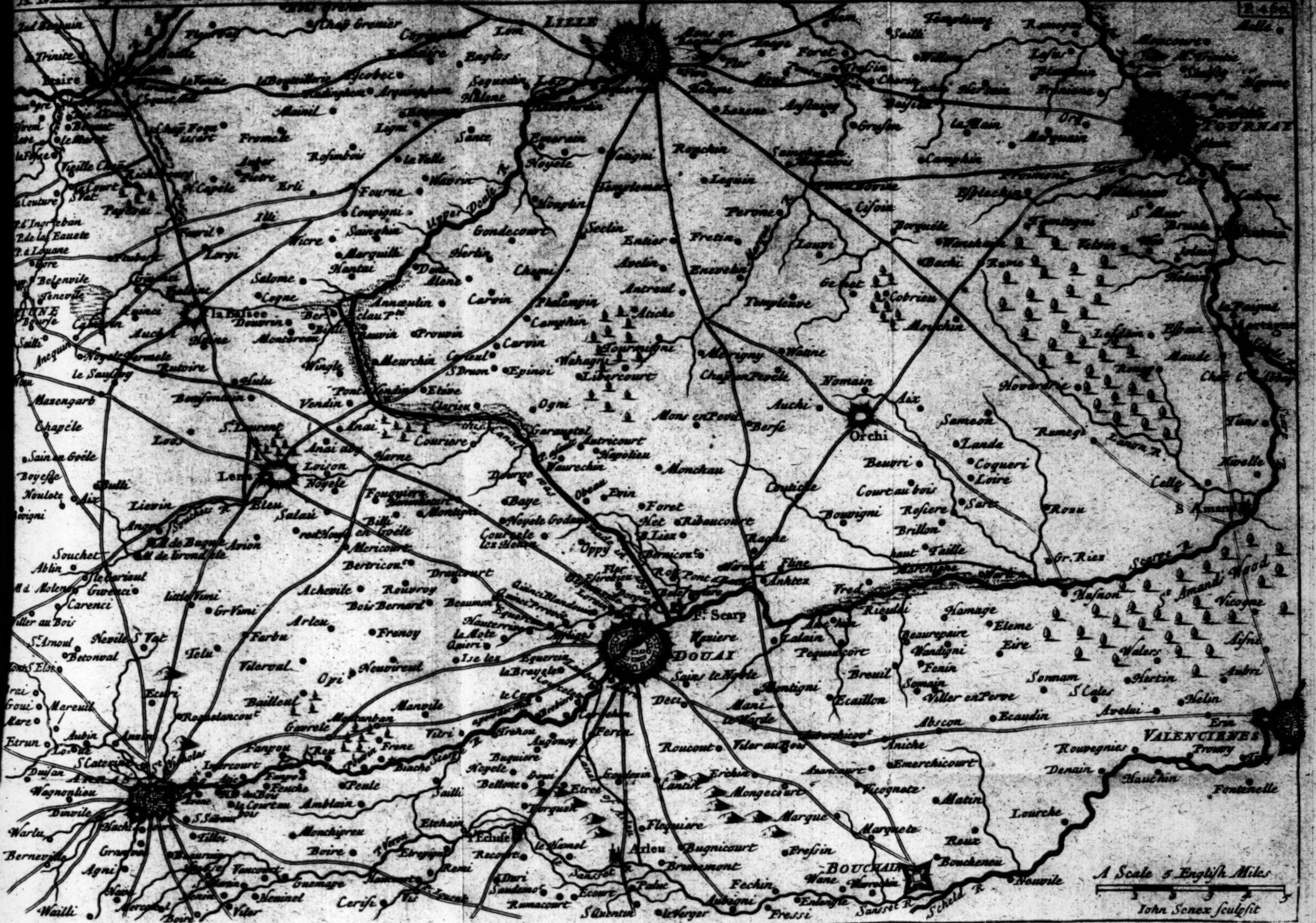
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A MAP of the COUNTRY about TOURNAY, LILLE, DOUAI, ARRAS, VALENCIENNES, &c. By Chas. Price & John Senex Geographers.

R. 462





The French had all this Winter been strengthening their Lines for covering *Doway* and their other Frontier Towns, and gave out they were impregnable, but not being able to supply their Troops with Provisions, and especially Forage for their Horse, which to be sure the confederate Generals were not unacquainted with; they slyly brought M. *Clæbergen* the only Deputy of the States to agree with their Sentiments about forcing those Lines, of which he gave an Account to his Masters in the following Letter.

High and Mighty Lords,

God Almighty be praised for a great Advantage obtained without any loss of Blood, on which I congratulate your High Mightinesses. This Morning about Six the Prince of *Wurtemberg* and Lieutenant-General *Cadogan* with 15 Battalions and some Horse got into the Lines of the Enemy at *Pont a Vendin*. The few Troops they had therein for the Defence of that Post retired without firing a Gun, and about 30 Battalions with some Squadrons posted near *Lens* and *Bethune* made likewise their Retreat, partly towards *Arras*, and partly towards *Doway*. Our Left Wing is at present passing the Lines at *Courierre*, and the Right at *Pont a Vendin*, and I shall acquaint your High Mightinesses with what shall happen afterwards, by the first Opportunity; but this whole Day will be spent before the Army is formed together. I could send no Person fitter than Commissary *Vleertman* to carry this Advice with Expedition to your High Mightinesses, whom I desire may be assured that I am with the greatest Respect, &c.

M. Clæbergen's Letter about actually forcing the French Lines. 11.

At the Camp at *Lens*,
April 21. 1709. at
Nine in the Morning.

Sign'd
P. F. Vegelin.
Van Clæbergen.

All that the French did on their Part upon this Occasion was, that the Marshal *d'Artagnan*, or *Montesquieu*, as others call him (this being the Name of his Family) assembled as many Troops as he could the 21st, and those under the Command of the Chevalier *de Luxembourg* joyned them the same Night, but notwithstanding they made a pretty considerable Body, and that their post was very advantageous, they retir'd in so great a precipitation upon the Approach of the Allies, that they left part of their Tents and Baggage behind them. The Allies thereupon having laid Bridges over the *Scarpe*, the

April.



Disposi-
tions for
the Siege
of Doway.

24.

25.

26.

28.

the Prince of Hesse Cassel was detach'd with 12 Squadrons to fall on their Rear, but they broke down so many Bridges, and retir'd so fast, that his Highness overtook only some few of them, who were made Prisoners. The Army under the Duke of Marlborough pass'd the Scarpe on the 22d at Night, encamping his Right near Vitry, on the same River, and his Left at Gony, but his Highness took his Quarters at the Extremity of his Left at Goulessin. The Army under Prince Eugene remained on the other side of the River to invest Doway, the Siege whereof was resolv'd upon; and for that purpose General Cadogan march'd on the 22d in the Morning to take Post at Pont-a-Rais, and other Detachments were made to open a Communication over the Lower Scarpe with Lisle and Tournay. The Enemies quitted St. Amand, Marchienne and the Abbey of Hasnon below Doway, and their Army retir'd towards Cambray. The 24th was spent in laying several Bridges below and above Doway on the Scarpe and the Canal, and on the 25th they began to work on the Lines of Circumvallation. The 26th they continued the same, and the Prussian Troops commanded by the Prince of Anhalt Dessau, arriv'd near the Camp. Monsieur Vegelin de Claerbergen, Deputy of the Council of State, went to Tournay and Lisle to give the necessary Orders for the speedy transporting to the Army the Forage, Oats, and other Provisions, both for Men and Horses. The Line of Circumvallation being in a great Forwardness, both Armies made a Motion the 28th. The Cavalry under Prince Eugene extend'd it self from Oignies over the Canal of Oby to Belle Fetrie near Rache, while the Horse of the Duke of Marlborough's Army pass'd over the Scarpe at Lalain, and encamp'd their Right to the Village of Rache, being parted by a short Interval from the Left of Prince Eugene, and extending from thence thro' the Wood of Roche to Rouvignies. The Infantry made also a Motion at the same time; that under Prince Eugene took Post from Pont Oppy to Esquerchin, and from thence to Brebieres or Bresseres, and the Infantry under the Duke reach'd from thence thro' the Villages of Quincy and Corbekem to Fierin over the Upper Scarpe, and from thence to Dechy, Langsain, to Wasieres or Wasteres, near the Lower Scarpe. His Grace took up his Quarters in the Abbey of Flines near Pont-a-Rache.

The Horse being thus altogether posted on the Left of the Scarpe, between Doway and Lisle, that they might more conveniently subsist, and for securing the Convoys, the Duke of Marlborough detach'd Major General Bush-

may with 1500 Horse to take Post without the Lines near *Dechy*, and patrolle between the same, *Bouchain* and *Cambray*, to watch the Motions of the Enemy on that side. The 29th they continued to perfect the Line of Circumvallation, which began at *Dechy*, and ended at *Pont Oppy*, and Detachments were made for securing the March of the Artillery from *Lisle* and *Tournay*. The 30th the Troops were provided with a good Number of Fascines, Gabions, &c. in order to attack *Doway*. The same Day they had Advice that the Sluices which the Enemy had broke on the *Upper Deule*, and which the Duke of *Marlborough* had ordered to be repair'd, were brought into such a Condition, as render'd that River navigable as far as *Oppy*, which would be of great Service for the Transportation of the Forrage, Ammunition, and the like Necessaries.

This at present we will leave them busy about, and pass into *Spain*; there, notwithstanding the Publick was not yet inform'd of the Motives which oblig'd King *Philip* to cause the Duke of *Medina Celi* to be committed close Prisoner, yet we might safely conclude, that those Reasons must be very pressing; for otherwise King *Philip* would never have ventur'd upon so violent a Proceeding against his Chief Minister, and the Head of the *Spanish* Nobility, who are very nice and jealous of the Prerogatives of their Rank. Every Body fancies that that Grandee kept Correspondence with King *Charles*; we shall content our selves here to insert the following Account from *Madrid*. On the 15th the Duke d' *Astorga* departing this Life at *Madrid*, left with his Confessor a seal'd Note, with Orders to deliver it immediately after his Death into the King's own Hand, which was done accordingly. King *Philip* having receiv'd that Note, sent in the Evening for the Duke of *Medina Celi*, and having discours'd with him for about an Hour, order'd him to go to the Office of Monsieur *Grimaldo*, Secretary of State, to dispatch some Affairs; but about Eight Don *Juan Hidiaquez*, Adjutant of the Life-Guards, came thither, and told the Duke that he had Orders to seize his Person, and immediately conducted him out of the Palace, at the Gate of which there was a Coach with Six Mules, and a Detachment of 25 Guards, who conducted that Duke in the Night to *Torre de Lodones* on the Road to *Segovia*, where Don *Hidiaquez* deliver'd him to Don *Patricio Norris*, an *Irish* Officer, who conducted him the 16th to the Castle of *Segovia*, where he was lodg'd in the Apartment of the Governour. When the Duke was seized, he desired that some of his Servants might attend him; but this was denied:

29.

30.

Duke of
Medina
Celi com-
mitted to
Prison.

15:

16.

April.

* A Fourth
Letter to
a Tory-
Member.

Remarks
on the
seizing the
Duke of
Medina
Celi.

denied: However, he had some Necessaries allowed him. His Two Secretaries were seiz'd at the same time, and on the 17th John Juan de Leon, the Duke's intimate Friend, was also taken up and his Papers seized; and K. Philip wou'd allow no body to correspond with the Duke. Be this as it will, a very Ingenious * Author, who seems to have more than a common Insight into Publick Affairs, says, That the *Affair of the Duke de Medina Celi*; which, as great a Mystery as it was, was probably at bottom a French Trick. 'Twas very natural for the Spaniards to take Umbrage at the Conferences at Gertruydenburg, and to think it was time to take care of themselves; and that if the French King shou'd in earnest abandon them, 'twas to no purpose for them to adhere to his Grandson. To feel their Pulse upon this Point, 'twas probable the French Ministers, either Blecour, or Iberville, or some others of their Emissaries, had pretended to treat with some of the Grandees upon this foot, and acquainted them that the King's Affairs would not permit him to support his Grandson any longer, and that the King did not expect they shou'd ruine themselves to maintain him upon the Threat, since in that case it wou'd be impracticable; but that if they wou'd dispose him to resign, the King wou'd endeavour to get some Partition for him. 'Tis extremely probable, this Trick was try'd at Madrid, to find how the Grandees were inclin'd to act on this Occasion; the Duke de Medina in particular, who was the first Minister; and that when they had got out of him the Sense of him and his Friends on this nice Subject, the use they made of it was to betray him to the Duke of Anjou: and possibly the thing went further, and that in concert with the French, to save the King's Honour, they had agreed to seize his Person and carry him off.

Earl of
Wharton
arrives in
Ireland.

7.
Reflections
on his be-
ing sent
thither.

If we should cross Spain to the Ocean side, and from thence make the best of our way for Ireland, we shall find his Excellency Thomas Earl of Wharton arrive at Dublin the 7th of this Month, as Lord Lieutenant once more; Nothing is more certain than that the High Flyers were wonderfully dissatisfied with his Lordship's first Advancement to that high Trust and Station; and no Calumnies were spar'd by them to blacken him as much as possibly they could: the Whigs were not behind hand with 'em in their Reflections on some Great Ones of the Opposite side: But now the more intelligent sort of the Tories hugg'd themselves that his Lordship was happily sent out of England at a Time when they had such a Game to play, wherein they very well knew they should meet with more Opposition from his Lordship's Great Capacity, Zeal and Activity, than any other.

His

His Excellency being received in *Ireland* according to the usual Custom, on the 19th the Parliament met according to the Prorogation. The House of Commons being sent for by the Lord Lieutenant to the House of Peers, they were directed to chuse a Speaker in the room of *Allen Broderick, Esq;* call'd up to the House of Lords, as Lord Chief Justice of the Queen's Bench. And being return'd to their own House, they chose *John Forster, Esq;* her Majesty's Attorney General: Who being presented, made the following Speech to the Lord Lieutenant.

May:

Irish Parliament meet to chuse a new Speaker.

May it please your Excellency,

I N Obedience to your Excellency's Commands, the Commons proceeded to the Choice of a Speaker, and have been pleased to elect me. I am very sensible, That a long Experience in Parliamentary Affairs, and a great Capacity for Publick Business, are the necessary Qualifications of a Speaker. And I am so conscious of my Inability in both these Respects for so great a Charge, that I must humbly desire your Excellency to direct the Commons to elect some other Person among the many learned and experienced Members of their House, who is better qualified to fill their Chair.

New Irish Speaker's Speech to the Lord Lieutenant.

His Excellency having express'd his Approbation of their Choice, the Speaker proceeded:

IT is my Duty to acquiesce in your Excellency's Approbation of the Choice of the Commons, and my great Satisfaction to consider, I have the Honour to be chosen by a House who have so often distinguish'd their Duty to the Crown, and Affection to their Country. Who have shewn a just Regard for the singular Wisdom and Piety of her Majesty, which adorn the Throne, and for the eminent Worth and Abilities of of your Excellency, who represents her. These are happy Dispositions for Harmony and Agreement in our Debates, and for uniting our Councils for the strengthening the Protestant Interest of this Nation, and promoting her Majesty's Service, with an Affection becoming the many great and valuable Blessings we enjoy under her most auspicious Reign. I shall not presume to detain your Excellency longer than humbly to demand in the Name and on the Behalf of the Commons; That they may have Freedom of Speech in their Debates, and their Persons, Goods and Attendants unmolested. That if in any Thing I shall mistake or misrepresent their Meaning, when I shall by their Directions

H h

attend

May.



attend your Excellency, I may have Liberty to make a further Declaration of the Sense of the House, and obtain Pardon for my Error: That as often as the publick Good shall require it, I may, by their Direction, have free Access to your Excellency's Noble Person.

The 20th, the Speaker, with the House, pursuant to the Message from the Lord-Lieutenant, went up to the House of Peers, where his Excellency made the following Speech.

My Lords and Gentlemen,

*Lord Lieutenant's
Speech to
the Irish
Parliament.*

20.

HER Majesty hath out of Her Great Care of you, and Goodness towards you, call'd you again together, and given you now another Opportunity of Consulting among your selves, of whatever you shall judge to be necessary for your own Happiness and Security. The Dispatch that was given the last Session of Parliament to the publick Business, the Care that was taken of the true Interest of the Kingdom, and the hearty Zeal and dutiful Affection that was express'd for her Majesty's Person and Government, were so acceptable, that it is with Satisfaction her Majesty now calls you together again. And the Readiness with which her Majesty was graciously pleas'd to give her Royal Assent to those Bills, which you thought proper to transmit to her, ought to give you an Assurance, that her Goodness will not deny any thing to you, that can be judg'd necessary to make you Easy and Happy. And I have now her Majesty's Leave and Directions to let you know, that she will readily consent to any good Laws that will conduce to those Ends.

Gentlemen of the House of Commons,

I am commanded to tell you, that her Majesty is not unmindful of the Chearfulness with which you gave the last Session of Parliament, and her Majesty doth not at all doubt, but that you will come with the same Affection, provide such Supplies as shall appear to be necessary for supporting the Establishment, and complying with those Applications that you yourselves have made to her Majesty, and for carrying on that War, and providing those Stores which have been judg'd proper for the Defence of the Kingdom. The State of all which I have directed to be fully and faithfully laid before you, and I make no Question but it will be done to your Satisfaction. It is with some Concern that I take Notice to you, that there is yet

yet one Regiment wanting of those which are paid up-
 on this Establishment, but the publick Service made it
 absolutely necessary to recal a Regiment that was under
 Orders, and ready to embark for this Kingdom, and
 you may be assur'd that another will be sent as soon as
 it is possible.

My Lords and Gentlemen,

I have but one thing more in Command to recom-
 mend to you, which is, that Union among your selves,
 which her Majesty hath so much at her Heart, and
 hath so often put you in Mind of. There wants no-
 thing but this to make you very Happy and very Se-
 cure. The Establish'd Church can't but be most flou-
 rishing and safe under the Influence of her Majesty,
 who through the whole Course of her Life, hath been
 the brightest Ornament of that Holy Religion which
 She professes. And our Civil Rights and Liberties
 must be secure under a Queen, who from the Begin-
 ning of her Reign to this Day, hath so gloriously es-
 poused and vindicated, not only the Rights of her own
 People, but the Liberties of all *Europe*. This should
 prevail with us all, to have no other Dispute or Emu-
 lation amongst us, but to strive who shall shew most
 Duty and Loyalty towards her Majesty, and most
 Zeal for the Support of the Protestant Interest, and the
 Protestant Succession.

The Speech being reported by Mr. *Speaker*, it was or-
 der'd to be entred in the Journal. The House order'd
 an Address to her Majesty, to congratulate her Majesty
 upon the early Success of Her Arms this Campaign, and
 the Prospect which they give us of a lasting and honour-
 able Peace. Also resolv'd, That Thanks be given his
 Excellency the Lord Lieutenant for his gracious Speech.
 The several Committees were appointed, and resolv'd,
 That the Thanks of the House be given to *Allert
 Broderick Esq;* now Lord Chief Justice of the Queen's
 Bench, for his faithful and eminent Services during the
 Time of his being *Speaker*.

On the 23d. Mr. *Speaker* reported, That the House,
 with their *Speaker*, attended his Excellency the Lord
 Lieutenant the Day before, at 6 a Clock in the After-
 noon, at the *Castle*, with the Address of this House to
 her Majesty. Which Address is as followeth:

May.

*May it please your Majesty,*Irish Com-
mons Ad-
dress to the
Queen.

22.

WE Your Majesty's most Dutiful and Loyal Subjects, the Commons of *Ireland* in Parliament assembled, cannot meet without acknowledging your Majesty's great Favour and Goodness which calls us together, and humbly begging Leave to assure your Majesty, that We shall, with all becoming Chearfulness and Gratitude, endeavour to answer the Ends of this our Meeting. We do, at the same time, in the most dutiful and humble Manner, congratulate your Majesty upon the great and early Successes of your Majesty's Arms in the present Campaign, under the Conduct of your Renowned and Victorious General the Duke of *Marlborough*, which open to us a Prospect of farther Victories, or of such a Lasting and Honourable Peace as we may justly promise our selves from those already gain'd. As the Glory of your Majesty's Arms abroad, and the Wisdom and Justice of your Administration at home, make us regard your Majesty as the Greatest and Best of Princes; so we are resolved to embrace all Opportunities of shewing our selves the most Dutiful and Loyal of Subjects. And to the end, that as much as in us lies, We may convey to our Posterity those inestimable Blessings restored to us by the late happy Revolution, and continued and improved under your Majesty's most auspicious Reign, We shall be ready to hazard all that is dear and valuable to us in the Defence and Support of your most Sacred Person and Government, of our present Happy Constitution, and the Church as by Law Establish'd, and the Succession in the Protestant Line, as the same stands settled by Acts of Parliament lately made in *England*.

Lord Lieutenant's
Answer.*His Excellency was pleased to return the following Answer.*

I Will take Care, That this your Address be laid before Her Majesty by the first Opportunity.

Mr. Speaker reported also, That he had, at the same time, presented the Address of Thanks of that House to His Excellency for His Speech, to both Houses of Parliament. Which Address is as followeth :

To His Excellency *Thomas Earl of Wharton*, Lord-Lieutenant and General Governor of *Ireland*.

Irish Com-
mons Ad-
dress to the
Lord Lieu-
312.425.*May it please your Excellency,*

WE Her Majesty's most Dutiful and Loyal Subjects, the Commons of *Ireland* in Parliament assembled, beg Leave to return our humble and hearty
Thanks

Thanks for your Excellency's Speech to both Houses
 of Parliament. Your Excellency's eminent Zeal for
 her Majesty's Service and Government, your generous
 Concern for our happy Establishment in Church and
 State, your distinguished Regard to the Rights and
 Liberties even of the least Subject, and your particular
 Care of the Interest and Welfare of her Majesty's faith-
 ful Subjects the Protestants of this Kingdom, create in
 us a just and grateful Sense of her Majesty's Royal
 Care of us, and Goodness towards us, in giving us this
 Opportunity of Meeting again, under your Excellency's
 Administration, to consider of and provide what may
 be yet necessary for our Happiness and Security. Her
 Majesty's Satisfaction in the Dispatch of the publick
 Business receiv'd at our last Meeting: Her Approbation
 of the Care that was taken of the true Interest of this
 Kingdom; Her Readiness to consent to those good
 Bills that were and shall be transmitted to her, and
 that Notice she is pleas'd to take of the Chearfulness
 with which we gave the Supplies last Session, increase
 our Duty, Zeal, and Affection to her Royal Person
 and Government, which we shall endeavour to demon-
 strate, by our Readiness in giving such Supplies as
 shall appear to be necessary to enable her Majesty to
 support the Establishment honourably: To comply
 with the humble Applications we have made to her,
 and to carry on that Work, and provide those Stores
 which we have judg'd proper for the Defence and Se-
 curity of this her Kingdom: The State of all which
 will we doubt not be fully and faithfully laid before
 us, according to your Excellency's Direction. That
 Union among our selves which your Excellency re-
 commends, and which her Majesty has so much at her
 Heart, is in it self so agreeable to the Nature of every
 well disposed Mind, and so evidently necessary to our
 own Happiness and Security, that we assure your Ex-
 cellency, we shall use our utmost Endeavours to dis-
 appoint and defeat the Hopes of those that wish to
 create Animosities and Divisions among us. We are
 fully satisfy'd that our Established Church, of which
 her Sacred Majesty is the brightest Ornament, is in a
 safe and flourishing Condition. And it is with great
 Pleasure we see it so happily and effectually secured to
 us and our Posterity, by the Laws now in Force, by
 the Wisdom of her Majesty's Councils, and the Glori-
 ous Successes of her Arms, that nothing but Folly or
 Malice can insinuate its being in Danger from her
 Majesty's Administration, or the Succession in the

May.

Illustrious House of *Honour*. We most gratefully acknowledge, that our Civil Rights and Liberties must be secure to us under a Queen, who hath from the Beginning of her Reign to this Day, most gloriously espoused and vindicated, not only the Rights of her own People, but the Liberty of *Europe* in general. The Consideration of these inestimable Blessings fills our Heart with such inward Joy and Satisfaction, as leaves no Room for any Fears or Jealousies to distract our Minds, or disturb our Happiness; nor shall any Strife or Contention appear among us, but a generous Emulation to give the most convincing Proofs of that Duty and Loyalty that becomes the best of Subjects to the best of Princes, and of our constant Zeal and Affection to the Church and Protestant Succession as by Law establish'd.

His Excellency was pleas'd to return the Answer following:

Lord Lieutenant's
Answer.

I Am very well pleas'd to find, that what I have said to you seems to be so much to your Satisfaction; and that you are inclin'd so fully, and so freely, to answer those Things that her Majesty expects from you.

Lord *Moore* reported from the Committee appointed to attend the Right Honourable the Lord Chief Justice *Brodrick*, and acquaint him with the Vote of Thanks of this House for the Faithful and eminent Services perform'd to this House in the Chair, and during the Time of his being Speaker; That they had attended his Lordship accordingly; and that his Lordship was pleas'd to return the Answer following:

Lord Chief
Justice of
Ireland's
Answer to
the Com-
mon's
Thanks for
his Service
as Speaker.

I Am extremely sensible of this great Honour done me, as I always have been of the Goodness of the House of Commons, in supporting me in the Discharge of the Trust they were pleas'd to repose in me; and cannot sufficiently acknowledge their Favour, or express the Satisfaction I take, that the Witnesses of my Behaviour, during so many Sessions of Parliament, have unanimously approved it, and given an uncontrollable Testimony of my having, in all Instances, to the best of my Power, done my Duty to the Crown, the House of Commons, and the Kingdom in general.

There being little else of Moment to be observed in this Kingdom for the present, saying that the following Gentlemen were added to the Council, Nine, viz. the Earl

Earls of Kildare, Meath, and Monmouth; Viscounts Mont-
 joy and Castle-Comer, Sir Tho. Southwel, Bar. Major General
 Gustavus Hamilton, William Conolly, and Theophilus But-
 ler, Esqs; and Philip Savage, Esq; Chancellor of the Ex-
 chequer, and Clerk of the Crown. Thus remov'd from
 the Council, we pass from hence into England, where made in
 Sir Henry Gold Knight, one of the Judges of her Maje-
 sty's Court of Queen's-Bench, having some Weeks be-
 fore, viz. on the 17th of March, paid his last debt to Knighted
 Nature; her Majesty was pleased to appoint Robert Eyre and made
 Esq; her Solicitor General, to succeed him in that Post, a Judge.
 in order to which he was with ——— Pingelly Esq; crea-
 ted a Sergeant at Law on the 12th, and about the same
 time, receiv'd also the Honour of Knighthood; the
 Motto of the new Sergeants Rings was, *Unit & Imperat.*

It was sometime before this, that John Moleworth Esq;
 one of the Commissioners of the Stamp-Office, was ap-
 pointed to go Envoy Extraordinary to the Grand Duke of
 Tuscany, in the Room of Dr. Newton, who in his absence
 was last Year made Master of St. Catharine's Hospital
 upon the decease of the Earl of Feversham, and Richard
 Steel Esq; is made Commissioner of the Stamp-Office.

About the middle of the Month, her Majesty was
 pleased to appoint Sir William Ashburnham Bar. to be
 one of the Chamberlains of the Exchequer, in the Room
 of Sir Nicholas Steward, deceas'd: And about the same
 time, Sir Thomas Hardy Kt. was unanimously Elected an
 Elder Brother of Trinity-House in the Room of Ad-
 miral George Churchill, deceas'd; Sir Thomas had former-
 ly been Mr. Churchill's Lieutenant, and since for many Exche-
 Years a Captain of a Man of War, Commandore, and was
 First Captain to the Flag when Sir John Leake Command-
 ed the Fleet last, by which he had Rear-Admirals Pay.

Foot Onslow Esq; Brother to Sir Richard Onslow Bar. Brother of
 Speaker of the House of Commons, and one of the Trinity-
 Commissioners of the Excise, departing this Life, Whit-
 lock Bulstrode Esq; was made Commissioner in his Room, Mr. Bul-
 and John Ellis Esq; had the place of Solicitor of the Ex-
 cise, enjoy'd before by Mr. Bulstrode conferr'd upon him;
 this was done by the Interest of the Lord Chancellor
 Cooper, who had some time been Mr. Ellis his fellow Excise.
 Clerk; and not long after, Nicholas Polexsen Esq; was
 likewise made one of the Commissioners of Excise.

On the 22d. his Grace the Duke of Queensberry and
 Dover, and the Earl of Sunderland, Secretaries of State, fen
 were Sworn at Westminster Lord Commissioners of the
 Privy-Seal in North-Britain; its said the other Secretary,
 the Honourable Henry Boyle, would also have been one

May. of them, but that he must pursuant to a late Act of Parliament be re-elected a new Member.

Rioters But this was all Grimace; the Tories knew how
Tried. 25. things would be in favour of them for all this; howe-

ver, for the present, the Town was amus'd with the Tryal of the late Mob-Mutineers, sixteen of whom were on the 15th brought upon their Tryals at the Sessions-House in the *Old Bailey* for a Riot; one of them was acquitted, the other Fifteen pleaded Guilty; four of these were fin'd 20 Nobles a piece, and the other Eleven 15 Nobles. The Names of the Rioters who with-drew their Plea, and confessed themselves Guilty were *George Read, John Foreman, Joseph Hutton, Robert Hodgkin, Ralph Mott, James Whale, William Bartlet, Gylis Corbett, Edward Curry, John Anderson, William Vickery, Edward Warren, John Burton, Thomas Hill, and William Gilbert.* The Evidence against *Peter Brand* being only a Woman, who could swear to nothing but his own Confession, that he was among the Rioters, the Attorney-General consented to his Acquittance.

Tories Ad- This was but a Flea-bite, the High-flyers went on
dress. with their Addressees, wherein having generally and without reserve, extolled their own Loyalty to the Skies, they were very liberal in Branding the Low-Church-men and the Dissenters with Fanaticism, Faction and Schism, with Atheistical, Re-publican, and Antimonarchical Principles. Its observable that as the *Dutch* Prints and others of our Allies, usually gave a favourable Representation of the Addresses and Actions of the Low-flyers; so on the contrary, the *Parris* Gazetteer, the tool and hireling of *Lewis XIV.* the grand Enemy of Christendom, and of *Britain* in particular, shew'd himself not only pleas'd with, but frequently magnify'd the Successes of the High-flyers, and *Dr. Sacheverell* was now in much greater Esteem, than the *Cardinal de Bouillon*; and because the *Parris* Gazetteer has obtain'd more Credit with some people amongst us than our own Writers, be pleas'd to take the following Paragraphs out of the *Paris* Gazette.

Quotations The Animosities still continue between the High-
out of the Flyers and Presbyterians, and both Parties put out
Paris Ga- Books and Libels against one another. And they are
zette. eager also on both sides to present Addresses; and among others the Mayor, Grand Jury, Justices of the Peace, Under-Sheriff, and Gentlemen of the County of *Oxford* have presented one, wherein they abhor the Seditious Maxims lately so openly maintained, and all manner of Doctrines which countenance Subjects

to resist their Sovereign ; that they still firmly adhere to the Maxims taught in the worst of Times by the famous University of Oxford ; and so much the more because those who maintain that Princes may be resisted, contrary to the Laws of God and the Kingdom, are Authors of Books full of Blasphemies and Impieties. The Mayor, Justices of the Peace, Grand Jury, and Nineteen Gentlemen assembled at Worcester have presented an Address, wherein, without explaining themselves in reference to the opposite Principles, they declare their Abhorrence of all Seditious and Criminal Practises, which occasioned Tumults at London, during the time that Dr. Sacheverell was impeached by the Commons, before the highest Court in the Kingdom. They have caused the Picture of Dr. Sacheverell to be engraven, and of the Seven Bishops who Voted in his Favour ; viz. the Archbishop of York, the Bishops of London, Bath and Wells, Chester, Durham, Exeter and Rochester.

You see how sparingly he writes of the Whigs Address from Worcestershire ; wherein the Gentlemen, Congratulated her Majesty and her Kingdoms upon the happy Suppression of the Rebellious Tumults lately rais'd and encourag'd in her Metropolis by Papists, Nonjurors, and other Enemies to her Majesty's Title and Government. That the Boldness of the Attempt, in defiance of the Justice of the Nation, when the Representative Body of the Commons of Great Britain had charg'd an Offender with High Crimes and Misdemeanours before her Majesty in her highest Court of Judicature, as well as the timing of it, when the great Disturber of Europe was treating for Peace, having been humbled by the Arms of her Majesty and her Allies abroad, shew'd it to be the last Efforts of his here. And therefore they humbly beg leave to declare their utter Detestation of all such traitorous Practises, and their firm Resolution to sacrifice their Lives and Fortunes in defence of her Majesty's Sacred Person, Just Title, and Gracious Administration of the Church of England, and of the Protestant Succession, as they were by Law establish'd.

Whether the Tories were any way Conscious to themselves, that their Cause was Weaker in it self, than the other Party, I cannot pretend to Determine ; be it as it will, they made it up in Bulk by the numberlessness of their Addresses, which exceeded those of the Whigs four to one, and indeed they were much more

The numberlessness of the Tories Addresses.

May.
They take
in the
House of
Hanover.

industrious in disposing of them up and down the Kingdom; and to make them go down the glibber, the Hanover Succession came in a little time to be hawled into them, to the Mortification of the Papists and Non-jurors, who were big with Expectations of making their Markets in these Turmoils, to the Advantage of themselves, and the Master of St. Germans, but their Politicks fail'd them.

Besides Addresses, Pamphlets flew like Hail on all sides, which would exceed any bounds to particularize; one of the Concisest and Smartest on the Whigs side in this many, was that entituled the true Genuine Tory Addresses, &c. which see in the Appendix, and which tho' encountred more than once by the opposite Party, did not in the Opinion of the most Judicious and Impartial Judges come up with the others.

Being like to enjoy but little Peace for the present at home, let us see whether there was any better prospect of a real one from the Negotiations abroad; we informed the Reader before, that the French Plenipotentiaries had sent an Express to Court for farther Instructions, which being return'd on the 3d Instant, the Plenipotentiaries writ a Letter to Monsieur Pettecum Resident of Holstein, Importing they could wish their Conferences had produc'd a Peace, but as they had no Order to make any other Proposition than those they had already, they patiently expect that the Deputies would come thither to declare themselves more open than their manner had been hitherto, or to give them their Dismission, or at least that the great Pensionary would please to send them an Order to be gone. This Letter being communicated by the Pensionary to the Imperial and British Ministers, it was thought fit to Communicate the same to all the Ministers of the Allies, who met accordingly the 9th, and unanimously resolved, That Monsieur Pitticum should be desir'd to write to the French Plenipotentiaries, That seeing they had nothing further to propose, and that the Allies had nothing more to say than what they had said before, it was to no Purpose to continue insignificant Conferences; but that he should avoid to speak any thing of Dismission, or Order to depart. That Resident writ thereupon a Letter to the said Plenipotentiaries, to which they returned an Answer; which are as follow.

French
Plenipoten-
taries Let-
ter to M.
Pettecum

Messieurs,

May.

Mr. Petticum's Letter to the French Plenipotentiaries.

Messieurs,
HAVING received the Letter which your Excellencies did me the Favour to write to me the first of this Month, I have communicated it to those who are entrusted with the Affair. Report has been made of that Letter, not only to the State, but likewise to the Ministers of the Allies, to whom had already been communicated all that the Deputies related to have pass'd in the last Conference. And seeing your Excellencies declare in your Letter, That you have no Order to make any other Propositions than those which have been made, and that on the Part of the Allies, all has been said that could be said; I am commission'd to make known to your Excellencies, That 'tis thought unnecessary for the Deputies to repair again to *Gertruydenburg* to continue useless Conferences. *M. Buys* and *Vanderdussen* have desir'd me to make their Compliments to your Excellencies, and to assure you that they think themselves much oblig'd for all the Civilities they have receiv'd: For my own Part, I hope the Departure of your Excellencies will not deprive me of the Honour of your Favours. I am, with profound Respect, &c.

Hague, May 9. 1710.

The Answer of the Plenipotentiaries of France,
Gertruydenburg, May 10.

S I R,

WE have received the Letter which you took the Trouble to write to us the 9th of this Month, by the Direction of the great Pensionary and of the State, as well as of all the Ministers of the Allies; in which you tell us, that they will give no further Answer to any of our Propositions, nor confer with us. We are extremely concern'd to see, that notwithstanding all the Advances the King our Master has made for procuring Peace, they so resolutely refuse it. Since those Gentlemen have thought fit to break-off the Negotiation, we are preparing to depart; and we desire you to thank *M. Buys* and *Vander Dussen* for their Civilities. We shall always retain a thankful Remembrance of them, and desiring you to assure them of our Gratitude, we remain, &c. Sign'd

Their Answer about Departing.

Uxelles.

Polignac.

You see how stiff the French Plenipotentiaries are grown, seeing they now declar'd they would leave *Gertruydenburg*

May.
 Receive an
 Express to
 carry long-
 er.

They recede
 in their
 Demands
 of the
 Towns of
 Tuscany
 for the
 Duke of
 Anjou.

traydenburg the 15th or 16th; and the Jest was carry'd
 far, that Part of their Retinue and Equipage was sent
 away. But this was all a Feint: When the
 came, an Express arriv'd *à propos*, to save Appearance
 and enable them to stay with a good Grace; which
 notify'd the 18th, and the Deputies went to them the
 And in this Conference the King was pleas'd to
 from the Towns of *Tuscany*, but adher'd to his Demands
 of *Scicily* and *Sardinia*. And to remove the Objection
 against the last, a Project had been some time forming
 make a Descent on it, and get into Possession; which
 Design, when it was in a manner executed, was happily
 defeated by a Part of the Forces that were then sent
 from *Italy* to *Catalonia*. This Point of the Partition
 ing driven as far as it would go, 'twas now the Turn
 the Allies to ask, supposing this Partition agreed, that
 these Parts of the *Spanish* Monarchy should be given
 the D. of *Anjou*, which Way the King propos'd
 should have the rest secur'd to them: For the Reason
 which the Allies insist'd on the 37th Article, was,
 they might have a General Peace, and not be involv'd
 in a separate War with *Spain*. This was the Business
 these Conferences, and there was no Sense in the Allies
 pretending to demand a Partition upon any other Terms
 but supposing the Allies would quit one Part of the
 Monarchy to the D. of *Anjou*, that he should quit the
 rest to them. 'Twas to be presum'd, the King knew
 Grandson's Mind upon this Head, and that he had either
 Authority from him to treat of a Partition, or that
 had himself the Power in his Hands to oblige him
 consent to it. But this the Plenipotentiaries could not
 speak fully to at this Conference; 'twas left to be
 Subject of the next, which was not held till June 1st.
 Of which more in its proper Place.

It's Time we should now resume the Affairs of the
 Field, when on the 1st a Detachment of Prince Eugene's
 Army attack'd the Castle of *Pignonville*, near *Fort-Saint-Jean*,
 which would have annoy'd their Approaches and cut off
 the Garrison, after an Hour's Resistance, surrender'd.

At the same time the necessary Preparations for the
 Attack of *Doway* being made, forty Batallions were
 pointed for that Service, under the Command of the
 Prince of *Anhalt-Dessau*, and the Prince of *Nassau-Fulda*,
land, both Generals of the Foot, with four Lieutenant-
 Generals under them, eight Major-Generals, and eight
 Brigadiers; and on the 4th at Night, the Trenches were
 opened on the North Side of the *Scarpe* between the
 Gates of *Ocre* and *Esquerchin*, with so much Order, that

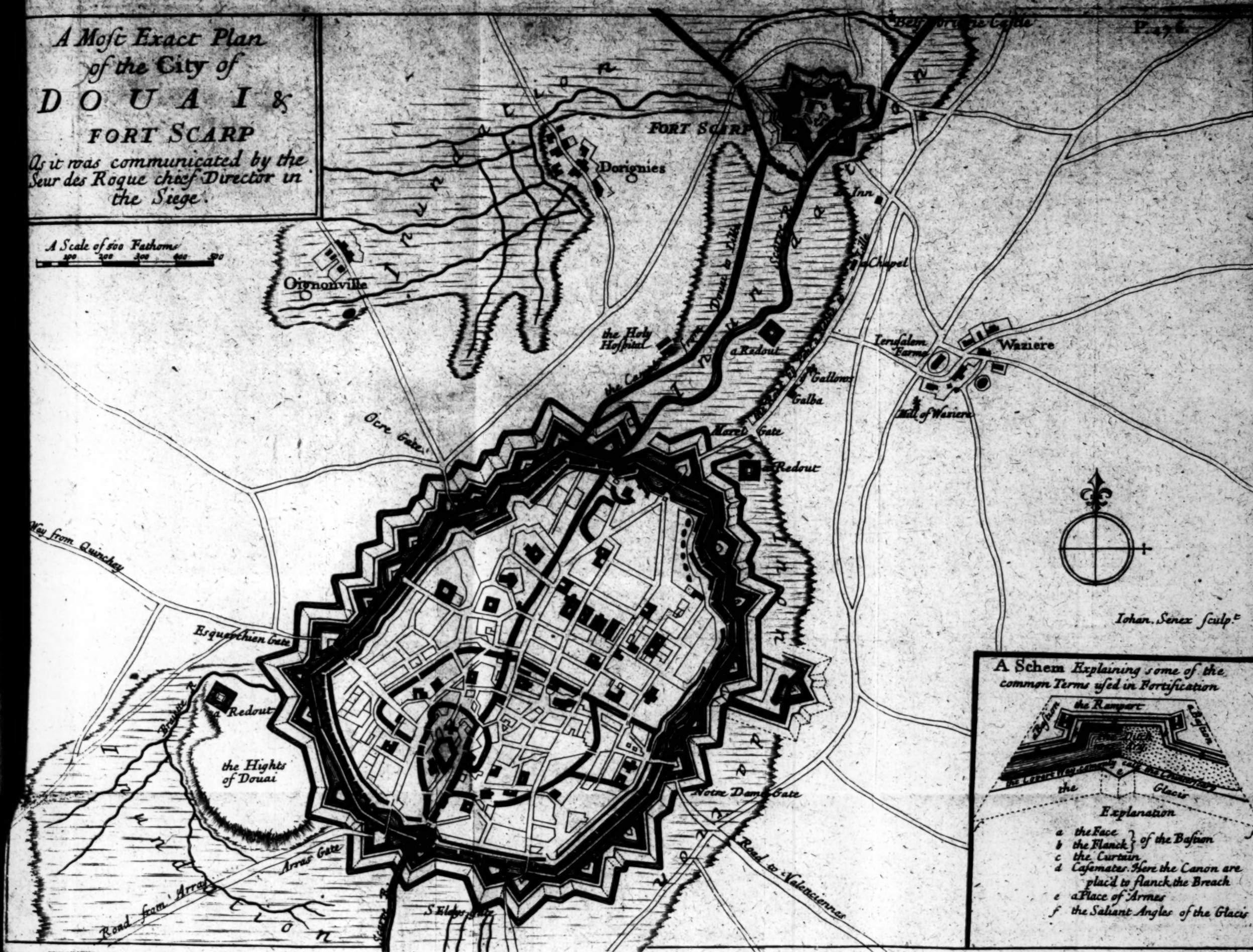
Journal of
 the Siege
 of Doway.

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*A Most Exact Plan
of the City of
DOUAI &
FORT SCARP*

*As it was communicated by the
Seur des Roque chief Director in
the Siege.*

A Scale of 500 Fathoms
100 200 300 400 500



*A Schem Explaining some of the
common Terms used in Fortification*



Explanation

- a the Face*
- b the Flank*
- c the Curtain*
- d Casemates. Here the Canon are*
plac'd to flank the Breach
- e a Place of Armes*
- f the Salient Angles of the Glacis*

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May.

the Enemies did not perceive it till about Three next Morning, when they saw the Approaches considerably advanced, and the Men already covered. There were two Attacks concerted. The Enemy in the *Interim* had sent a Party of 100 Horse from *Bethune* to get Intelligence of our Army, but one of our Parties that was patrolling in the Plains of *Lens* met with them, and having at their first Discharge killed 15 of them, the rest were taken Prisoners, with 8 Officers, amongst whom there were 2 Captains. This French Party drew up in Sight of Ours in very good Order, as if they had been resolved to make a brave Defence; but they were not able to maintain their Ground. However, the Besiegers were like to meet with rough Work at *Doway*, since they had confirmed, that the Garrison consisted of 17 Battalions, viz. 2 of *Mortemare*, 2 of *Foix*, 3 of *Piemont*, 2 of *La Fère*, 2 of *Montboise*, 2 of *Touraine*, 2 of *Charest*, 2 of *Saintongue*, and 1 of the Artillery, with 3 Squadrons of the Dragoons of *Bressin*, and 2 of *Grandville*, and that they had besides 2 Battalions in *Fort Scarpe*. But let us come a little to the Particulars of the Siege; the two Parallels which the Allies had begun on the 4th, were finished on the 5th at Night. On the 6th, they made 2 new Ones, and advanced the same 800 Paces on the Left, and 500 on the Right, with the Loss of very few Men, notwithstanding the great Fire the Enemy made with their Cannon and Mortars. The same Night they carried a Trench towards a Redoubt on the Right of the Prince of *Anhalt's* Attack, in order to raise a Battery against the same, while they cast up a Work on the Left of the Prince of *Nassau's* Attack, to cover the Approaches against the Fire of *Fort Scarpe*. The 7th in the Morning they found their Parallels advanced to 250 Paces of the Pallisadoes at both Attacks. About 10 at Night the Besieged, to the Number of 100 Foot, most Grenadiers, and 200 Dragoons, made a Salley under the Command of the Duke of *Mortemare*, a Brigadier, against their Left Attack, put the Workmen into Disorder, and levelled some Paces of their Parallel. Colonel *Sutton's* Regiment, which was the first that supported the Workmen, suffer'd very much; but Major-General *Macartney*, with the other Regiments in the Trenches, coming up to their Relief, the Enemies were repulsed with a considerable Loss, and pursued to their Counterscarp. The Action was very hot, and the Besiegers had about 300 Men killed and wounded. Lieutenant-Colonel *Gledhill* of *Sutton's* Regiment was wounded and taken Prisoner. The *Switz* Regiment of *Smit* in the Service of the States, suffer'd also considerably.

Strength of
the Garri-
son.

Sally made.

The

April.

The Damage they had sustained in our Parallel being repaired in the Night, and the same finished; they began also a Line of Communication between them. The 8th they began to fire with 8 Pieces of Cannon against a Redoubt near the Gate of *Tresbin*, from which they were very much annoy'd in their Approaches at the Right Attack, and about 11 they had dismounted some of their Cannon. The same Day the Engineers thought fit to order some Redoubts to be cast up along our Trenches, for the better Security of the same against any other Salley; while the Enemies having sunk several Boats in the *Scarpe* at *Marchienne*, to render that River unnavigable, Orders were given to weigh them up, and at the same time a Detachment was made to go down the *Scarpe* in Boats, to secure the coming up of the Vessels with the Artillery, against the Gallies the *French* had prepared at *Comle* to attack them. The 9th, Part of their Artillery arrived in the Camp, and that no time might be lost while they were clearing the Passage of the *Scarpe*, several Hundred of Waggon's belonging to the Army were sent to *Tournay* to bring Ammunition from thence. The Besiegers on the 11th carried on their Approaches to the first Ditch before the first Cover'd Way, and finish'd that Night one Battery at each Attack for 24 Pieces of Cannon and 8 Mortars each; but one of the Bombs of the Enemy falling amongst some Barrells of Powder behind their Battery, the same blew up with a great Noise, and some Men were killed and others wounded.

Nevertheless the Approaches were carried on with so much Success, that on the 12th they advanced to the first Ditch the Enemies have made since the taking of *Tournay*. The Night between the 15th and 16th the Besiegers carried a Line on the right Attack to a rising Ground judged proper to erect a Battery, and the same Night they made Diffents through six different Places into the Fore-ditch, and had an Engineer and 10 Soldiers wounded, but none killed. At the same time they made on their Left a Lodgment 100 Paces long along the Ditch, and perfected their Line of Communication behind their Battery, having had three Soldiers killed, and 43 with 3 Sergeants wounded. The following Night from the 16th to the 17th they made at their Right Attack a new Line, and carried on considerably their Approaches, without any other loss than of two Soldiers killed, and six with one Sergeant wounded. They perfected on the Left the Line out of which the Workmen were to come to fill the Ditch. They prepared also a Battery to co-

April.

17.

ver their left against any Sallies, and had two Soldiers killed, and a Captain and 24 private Men wounded. The 17th at Night they made at the Right Attack a Gallery or Bridge on the first Ditch, and begun four others, with a Communication with the utmost advanced Line, having had in that Service five private Men killed, and a Captain and 34 Soldiers wounded. They perfected on their Left their Line before the Ditch to support the passing over the same, and had three Men killed and 34 wounded.

The Enemy made that Day in the Morning a Salley, with 9 Companies of Grenadiers, and a Detachment of Dragoons upon the Left; but Colonel *Preston* who commanded there, gave them so warm a Reception, that upon his first firing the Enemy retired with so much Confusion, that their Men left behind them a great number of their Arms. In the Night between the 18th and 19th they cast up some Works to cover their Galleries over the first Ditch, which was founded on their Right four Foot and an half deep, and 120 broad. They carried on the Line about 120 Paces, to make a Battery of Mortars, and had 10 Soldiers killed, and an Adjutant and 57 private Men wounded. They begun on their left four Bridges or Galleries over the Ditch, which was found to be on that side six Foot deep and 36 broad; but the Men being much exposed, they had 19 Soldiers killed, and two Officers, three Sergeants and 84 private Men wounded. They perfected those Works the following Night, and the 19th at Night made their Lodgments on the Glacis of the first Counterscarp.

The Marshal *de Villars* had not been able hitherto to get his Army together, so as to give any Interruption to the Siege; but the Confederate Generals having Information about this time that the said Marshal, as also *Berwick*, *Bixons*, *Montesquiou*, and the *Bavarian* Marshal Count *d'Arco* had resolved in a Council of War held at *Cambray*, either to attack them for relieving *Doway*, or if they found it impracticable, to march into *Brabant*, and oblige them by a Diversion on that side, to abandon this Siege. The Princes of *Savoy* and *Marlborough* thought fit to alter the Disposition of their Camp, and the 24th in the Morning all the Cavalry of the Duke's Army marched over the *Scarp*, and took their former Camp near *Goulezin*. The Infantry moved the next Morning the same way, while the Siege was carried on with so much Vigour, notwithstanding the vigorous Defence of the Garrison, that the Besiegers were got pretty near the Cover'd Way. But the Garrison made

Enemy
make another
Salley.

17.

18.

24.

May.



a Sally on the 21st at Night upon their Left, wherein several Men were killed on both sides; and another the 23^d, but were beat back with loss.

While these things were agitated, the Marshal de Villars pass'd the *Scheld* the 22^d with his Army, encamped the 23^d, his Right to *Thun l'Eveque*, and his Left to *Graincourt*. The 24th they continued in that Camp, and were joyned by several Battalions and Squadrons. The

24.

same Day the Confederate Armies made likewise a Motion, and encamped from *Isez* *Les Esquerchin*, where the Right of Prince *Eugene* terminated to *Arleux*, where was the Left of the Duke of *Marlborough*, whereby the Troops were at an equal distance to take either of the Camps or rather Fields of Battle that had been marked out. The Generals left only 30 Battalions to carry on the Siege, and 12 Squadrons at *Pont a Rache*. The 25th:

25.

Bridges were laid in several Places over the *Scarpe*, which parted the two Armies, for the more easie Communication of the Troops, and the same Day, upon Advice, that the Enemies were in Motion, all the Troops were ordered to hold themselves in a Readiness to march. They extended their Line on the 27th nearer to *Arras*, as if they intended to march into the Plain of *Lens*, and attack the Allies on that side, and had drain'd all their

28.

Garrisons to augment their Army; the Confederates on their part by this time being reinforced with all the *Prussian* Troops, were every moment in expectation of the Junction of the *Palatines*. The Enemies continu'd the 27th in their Camp, their Right at *Oisy*, and their Left within a League of *Arras*, but marched out 28th

29.

by *Blangis*, *Arras*, and Mount *St Eloy*; whereupon the Prince of *Savoy* extended the Right of his Army to *Henin Lietard*, and the Duke of *Marlborough* repass'd the *Scarpe* with the Right Wing of his Army, encamping very near the Left of the Prince of *Savoy*, and taking his Quarters at *Esquerchin*. When the Left of his Grace's Army consisting for the most part of the Troops of the States under Count *Tilly*, remained on the other side of the *Scarpe*, between *Decby* and *Fierin*: The Enemy on

French
make a
shew of
fighting.

30.

their side pass'd the *Scarpe* on the 29th in the Afternoon, and incamped their Right at *Roquelinourt*, near *Arras*, and their Left at *St. Eloy*, having the Hills before them. Whereupon the *Dutch* Infantry left between *Vitry* and *Arleux*, was ordered the 30th in the Morning to join the Army, and all the Detachments were recall'd. Orders were likewise sent to the *Palatines* who arriv'd the 20th near *Tournay*, to joyn them with all speed. On the 30th in the Morning at 8 of the Clock, the French Army de-camped

May.

decamped from *Raquelincourt* and *Mount St. Eloy*, and marched in Order of Battle, between *Fresnes* and *Lens*. One of their Columns advanced to *Bertrincourt* with all their Generals to view the Situation of the Allies Camp, which made all the Generals repair to their respective Posts, the Cannon to be placed on their Batteries, which defend the Avenues to the Camp, and other Dispositions were made to receive them. The Prince of *Nassau* with 20 Battallions from the Siege, and 12 others from the Intrenchments between *Dechy* and *Ficrin*, joyn'd the Allies, and the Princes of *Savoy* and *Marlborough*, with Count *Tilly*, some other Generals and the Deputies of the States went to a Height near the Redoubt call'd the *Queen*, to take a view of the Enemy, whom they saw draw up their Right towards *Montauban*, and their left towards *Noyelles*, about half a League from the Confederate Camp. The *Mareschal de Villers* with a great Detachment advanced some time after within almost Musket-shot of the Grand-Guard, and took a view of the Army and its Situation; but instead of attacking them as he had so confidently given out in the Morning, he made a Motion towards his Left, and incamped between *Noyelles sous Jems* and the Heights of *Laurens*, so the Generals judging thereby that he did not design to attack them, but only to retard the Siege, sent the Troops back they had drawn from before *Doway*, and those under General *Fagel* returned into the Lines on the other side of the *Scarpe*: Orders were also given to joyn the several Redoubts in the Front of the Camp, by a Line to extend from *Montignon* to *Vitri*, which being finished on the last of the Month, we return to the Siege, where the besieged on the 29th made a Sally on the Right Attack, and that into the Works, but were Repulsed with the loss of 100 Soldiers and 25 Officers. Next day the Garrison of *Fort Scarpe* Sallied, and advanced towards *Pont a Rache*, with a design to intercept the Bread-Waggons, but were repulsed and pursued by C. *Calwell*.

A Sally.
29.

30.

Having brought the Siege of *Doway* to the end of the Month, before we leave the *Netherlands*, we must take notice of the Arrival of the Cardinal *de Bouillon* about this time in those parts from *France*; the ill usage he and his Family had received from the *French King*, ought to have inspir'd him long ago to quit all that he had in *France*; but the Court could not believe that this Prelate, after having suffer'd a Persecution of Ten Years standing, would have on a sudden sacrific'd all his Revenues there, and withdraw himself from that King-

Cardinal
de Bouil-
lon retires
out of
France.

May.

dom. However this happen'd when they did not expect it, and that Cardinal being gone to *Arras*, under pretence of visiting his Abbey of *S. Vast* near that Place, set out from thence to visit his Abbey of *Vieigne* near *Douay*, but instead of this went directly to the Confederate Army, where he was received with the Respect due to his Rank and Quality, by the Duke of *Marborough* and Prince *Eugene*.

Nothing can be expected from *Portugal*, tho' their Armies on both sides were now in the Field on the Frontiers, neither of them having any great Disposition towards Action; but as for the other side of *Spain*, the discovery of the Intrigues of the Duke of *Medina Celi* did not hinder King *Philip* from going into the Field; for that Prince having appointed his Queen to be Regent during his Absence, with the Advice of Five Counsellors of State, and nominated Commissaries to examine the Papers of the Duke aforesaid, set out on the 3^d for his Army in *Arragon*, where he arrived the 12th. The 13th he review'd the same, and held a Council of War, passed the *Sagra* the 14th and pretended to besiege *Balaquer*; of which the *French* at first made a great Bouncing, but upon the Motions of King *Charles* his Troops, made General *Staremburg* to repass that River, where we shall leave him on the 21st, between *Alguayra* and *Almenara*, from whence Lieutenant-General *Don Juan Antonio Hurtado de Amexaga*, and the Velt-Marshall *Don Pedro Espinosa de los Monteros*, were detached with 4000 Men Horse and Foot, to relieve the Castle of *Arina*, besieged by the Allies.

General *Staremburg* on his part was making all the Dispositions he could to grevent the Designs of King *Philip*, tho' he had not yet received any of the long promised and expected Succours of Imperial Troops from *Italy*, who moved very slowly for the Place of Imbarcation, neither could Sir *John Norris* arrive at *Genoa* so soon as was expected, he being obliged first to carry the New Viceroy the Count *de Fuentes* to *Sardinia*, who was to govern that Island instead of the Count *de Cifuentes*, whom King *Charles* recalled. And as for the Operations of War on the side of *Savoy*, tho' the Velt-Marshall Count *Thaun* arrived about the middle of this Month in order to it, things were not much forwarded at that Court; the Difference being still on foot between that Prince and the Court of *Vienna*, and there was not much reason to hope for great Heartiness in his Royal Highness for the Success of the Campaign, till the same were adjusted, which we shall not hear of for this Season.

Reflections
about the
Affairs of
the Duke
of Savoy.

As

As for the other Parts of *Italy*, all that is worth re-
marking is, that the Law-Suit between the Duke of *Lorrain*, and the Princesses of *Hannover* and *Conde*, con-
cerning the Inheritance of the late Duke of *Mantua*, about the
was decided on the 2d at *Venice* in Favour of the said Estate of
Princesses. This related only to the Personal Estate of the D. of
that Prince, and some Fiefs he had in the Territories of *Mantua*
the Republick; for the Dutchy of *Mantua* being a Fief terminated
of the Empire, was not liable to any Jurisdiction but
that of the Empire, and the Emperor was at present in
Possession of it, by Virtue of the Ban or Sentence pub-
lished against the deceased Duke for Rebellion, in ad-
hering to the Enemies of his Imperial Majesty. And
that the Duke of *Modena* had received the Imperial Pa-
tent of Duke of *Mirandola* and *Concordia*, in Considera-
tion of the Sum of 100000 Pistoles, which he was to
pay to the Emperor; and that the Count de *Taun*, who
arrived the 12th at *Milan* from *Vienna*, was to receive
100000 Florins in part thereof, for the Use of the Im-
perial Forces under his Command.

We have mentioned before the Resolution of the
Electo^r of *Hannover* to lay down the Command of the
Empire which was more largely exemplified at this
Time, and though pressed very much by the Imperial
Court to continue it, yet he absolutely refused it; and
the Chief Generals of the Emperor being employed in
Catalonia, *Italy* and *Hungary*, from whence the present
Circumstances of Affairs did not permit to recall them;
the Emperor conferr'd the Command on Prince *Eugene*
of *Savoy*, and General *Gronsfeldt* was to receive Orders
from that Prince, which they hoped would have a good
effect; for if the Prince of *Savoy* thought fit to reinforce
his Troops in the *Netherlands* in case of Necessity, Gene-
ral *Gronsfeldt* could not refuse to detach such Imperial
Forces as were under his Command, which an independ-
ent General would hardly be brought to comply with.

If from *Hannover* we should take Shipping on the Ger-
man Ocean, and so pass North about for *Ireland*, the first
thing that occurs to us at *Dublin*, is a Copy of the Ad-
dress of the Lords Spiritual and Temporal in Parliament
assembled, which had been transmitted into *England* by
Thomas Earl of Wharton, Lord-Lieutenant, and was pre-
sented to Her Majesty on the 8th by the Earl of *Sunder-
land*, then Principal Secretary of State. The Address
ran thus:

June.

Irish
House of
Lords Ad-
dress to the
Queen.

TO the QUEEN'S Most Excellent Majesty.

WE your Majesty's most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, being truly sensible of the great and inestimable Blessings we enjoy under your Auspicious Reign, do with grateful Hearts return our humble Thanks to your Majesty, for the many good Laws obtain'd the last Session, and the Opportunity now given us of meeting again, to consult of what else may be necessary for the Security and Happiness of this Kingdom.

We cannot but reflect with Pleasure on our own Condition, that while most of the neighbouring Nations are struggling under the Pressures of War, or groaning under the heavier Yoke of Tyranny, and imploring your Majesty's Protection; we who happily feel the nearer Influences, are encourag'd by your princely Care and Goodness to study and contrive Laws for our Safety and our Ease, are call'd together chiefly for our own Good, and to promote the noblest Ends, the Peace and Plenty of our Country.

We beg leave also to take this Occasion of Congratulating your Majesty on the glorious Successes of the last Campaign, under your great General the Duke of Marlborough, and the happy Beginnings of this, which give all your Majesty's good Subjects the delightful Prospect, either of a victorious War, or a speedy and honourable Peace.

And to promote (as far as in us lies) the great Ends which your Majesty seems to have so much in view, we do faithfully promise to improve and cultivate Union among our selves, and to contribute all our best Endeavours to strengthen the Protestant Interest, and maintain the Protestant Succession.

And as the Security of our Establish'd Church, and the Protection of our Civil Rights and Liberties, are the most valuable Blessings we possess, so from the Experience we have of your Majesty's exemplary Piety, Justice, and constant Care of both, we promise our selves that they shall continue and flourish under your most gracious Government and Administration.

About the same time their Lordships thought fit to draw up another to the Lord-Lieutenant in these Words:

To his Excellency Thomas Earl of Wharton, Lord-Lieutenant General, and General Governour of Her Majesty's Kingdom of Ireland.

As we return our hearty Thanks for your Excellency's Speech to both Houses of Parliament; so we esteem it a great Instance of Her Majesty's unparallel'd Goodness towards us, That we are now again called together under your Excellency's Administration, to consider of such Things as may be for our further Happiness and Security.

We take this Opportunity of acknowledging your Excellency's Care and Vigilance, in prompting those good Laws we have obtained for the Suppression of Popery, and Security of the Protestant Interest among us; and for the Assurance you are pleased to give us of her Majesty's Royal Intention, to consent to any good Laws which may conduce to make us easy and happy. And we return our hearty Thanks, for the Representation you were pleased to make to her Majesty, of the Dispatch that was given to the publick Business in the last Session of Parliament; the Care that was taken of the true Interest of the Kingdom, and that hearty Zeal and dutiful Affection that we expressed for her Majesty's Person and Government. We are now met in the same Temper and Disposition, ready to give the utmost Demonstration we are capable of in this Session likewise. And there is nothing we shall have more at Heart, than the approving our selves in all Things to our Gracious Sovereign; particularly in promoting that Union among our selves so affectionately recommended to us in her Name: In Obedience and Loyalty to her Sacred Majesty, in a most unfeigned Affection to her Person and Government, with all dutiful Behaviour to your Excellency, whom she hath placed over us.

We are fully perswaded, That the established Church will continue to be most safe and flourishing under the Influence of her Majesty; and as her Majesty is the brightest Ornament of the Holy Religion she professes, so is she (under God) the great Stay and Support of it, as she is likewise of the Civil Rights and Liberties of her People. And there is nothing we wish for more, than that all her Subjects may have the same Tenderness of her Royal Prerogative: Since Nothing is more apparent, than that the Peace and Prosperity of these Kingdoms depend entirely upon the Continuance of the two, in a just Ballance and Equality.

June.



'Tis with all Thankfulness to God, and Gratitude to her Majesty, the Glorious Instrument, that we do, in the Sincerity of our Hearts, own and acknowledge the manifold Blessings of her auspicious Reign: And do pray, that as no Monarch ever had a better Right and Title to the Throne of these Kingdoms, so that God would establish her in defeating the Subtilty and Contrivances of all her secret and profess'd Enemies, in granting her a long and prosperous Reign over us; and that he would preserve to these Nations the Protestant Succession as by Law established; this being the only visible Means of perpetuating our happy Constitution, both in Church and State.

To which his Excellency was pleas'd to make the following Answer.

Lord Lieutenant's Answer.

I Am glad to see, that what I have said to you, gives you any Satisfaction, and I shall be always ready to do the best Service I can for this Kingdom.

On the 31th Mr. Secretary Addison informed the House of Commons, that he was commanded by his Excellency the Lord-Lieutenant to acquaint the House, that her Majesty had been pleas'd to return a most Gracious Answer to the Address of that House, which he read in his Place, and after deliver'd in at the Table; and the same was again read by Mr. Speaker, and is as followeth:

M N N E, R.

Queen's Answer to the Irish Common's Address.

HER Majesty thanks the House of Commons for their Loyal and Dutiful Address, so full of Expressions of Zeal for her Person and Government, the Establish'd Church, and the Protestant Succession as settled by Law; and assures them of her constant Concern for the Welfare of the Kingdom.

King William's Statue at Dublin defac'd.

On the 25th at Night, some Persons, having very much defaced the Statue of King William, (which was erected to his Memory by the City of Dublin, after the Battle of the Boyne) by twisting the Sword it held in one Hand, wresting the Truncheon out of the other, daubing the Face with Dirt, and other Indignities of the like Nature. This Insolence occasioned the following Resolution of the House of Lords.

Resolved

Resolved,

Die Luna 26 Junii, 1710.

June.

That the Lord Chancellor do, as from this House, forthwith attend his Excellency the Lord-Lieutenant, and acquaint him, That the Lords being inform'd, That great Indignities were offer'd last Night to the Statue of his late Majesty King William of Glorious Memory, erected on College-Green, to shew the grateful Sense this whole Kingdom, and particularly the City of Dublin, have of the great Blessings accomplish'd for them by that Glorious Prince, have made this unanimous Resolution, That all Persons concern'd in that barbarous Fact are guilty of the greatest Insolence, Baseness, and Ingratitude, and desire his Excellency the Lord-Lieutenant may issue out a Proclamation to discover the Authors of this Villany, with a Reward to the Discoverer, that they may be prosecuted and punished accordingly.

Resolutions
of the
House of
Lords upon
it.

His Excellency, by the Advice of the Privy-Council accordingly issued the following Proclamation.

By the Lord-Lieutenant and Council of Ireland, a Proclamation.

T. WHARTON,

WHEREAS some Persons disaffected to Her Majesty's Government, and to the late Happy Revolution, did, on Sunday the 25th of June Instant, at Night, offer great Indignities to the Memory of his late Majesty King William, by breaking and defacing some Part of his Statue, erected on College-Green, at the Expence of the City of Dublin. And whereas the Lords Spiritual and Temporal in Parliament assembled, having a grateful Sense of the many Blessings accomplish'd for these Kingdoms by that Glorious Prince, did unanimously resolve, That all Persons concern'd in that barbarous Fact, are guilty of the greatest Insolence, Baseness, and Ingratitude, and desired his Excellency the Lord-Lieutenant to issue a Proclamation to discover the Authors of that Villany, with a Reward to the Discoverer. We do therefore hereby publish and declare, That we will give the necessary Orders for the Payment of 100 l. Sterling, to such Person as shall discover the Persons concern'd, and apprehend all or any of the Persons guilty of the said Offences. And in case any one concern'd in the said Act, shall make a full Discovery of his Accomplices, so as One or more of 'em may be brought to condign Punishment, such Discoverer shall, besides the said Reward, have her Majesty's Pardon for the said Offence.

Lord Lieutenants
Proclamation upon it

Given at the Council-Chamber in Dublin,

the 26th Day of June, 1710.

I i 4

To

June.

To which Sum of 100 l. the City of *Dublin* promised to add 50 l.

In the mean time the House of Commons was busie about the publick Affairs of the Kingdom; and on the 6th, Mr. *Maxwell* reported from the Committee appointed to inspect the publick Accounts of the Nation, that they had met and examined the Matters to them refer'd, the State whereof were contain'd in a Paper, which he read in his Place, and after deliver'd at the Table, together with the several Abstracts or Reports from the Sub-Committees, where the same was read, which Report is as followeth.

Mr. *Speaker*,

The Report of the publick Accounts of Ireland made by the Commons.

IN Obedience to the Commands of this Honourable House, the Committee appointed to examine the publick Accounts, have sub-divided themselves into several Sub-Committees, who having examin'd the respective Branches to them refer'd, and reported their Proceedings to this your Committee; we have from thence, and from our own Observations on the several Papers and Accounts laid before us, made up the following Report, as a true State of the Debt and Credit of the Nation; as well as of the Applications of this House to her Majesty, which we humbly submit to your Consideration.

By the Papers brought before your Committee, and particularly by the General State of the publick Accounts prepar'd and brought to a Ballance, in Obedience to the Order of this House, by Mr. *Burgh*, Accountant-General, which State we are of Opinion to have been made in a regular, just, plain, and satisfactory Manner; it appears that the Ballance due to the Nation at *Midsummer*, 1709, amounting to Seventy one Thousand and nineteen Pounds, one Shilling, and five Pence Half-penny, has been duly credited to the Publick.

It further appears, That the whole Produce of the Revenue, and additional Duties, and the Charge of the Publick being also carry'd on from *Midsummer* 1709, to *Midsummer* 1710, by Abstracts and Computations that appear reasonable to your Committee, the Ballance due to the Nation at *Midsummer* 1710, over and above the Sums charged to the Publick, will amount to eleven Thousand five Hundred and Forty seven Pounds, seven Shillings and eleven Pence Farthing, without including several Charges which her Majesty has directed to be paid on the Application of this House.

Your

June.

‘ Your Committee have also order’d me to report, that it appears by a Warrant sign’d by her Majesty, and produced to your Committee, that the Sum of Thirty one Thousand eight Hundred and Fifty Pounds, five Shillings, and six Pence, is appointed for building an Arsenal near *Dublin*, a Plan of which was likewise produced to your Committee, with the several Computations, and is herewith offer’d to the House, of which Sum fifteen Thousand Pounds only is to be paid in the first Year, and of that five Thousand Pounds is already charg’d to the Publick in the general State of the National Account.

‘ Your Committee have further order’d me to report, that it appears by her Majesty’s Letters produced to them, that the Sum of Twenty four Thousand Pounds is appointed to be paid out of the Revenue of this Kingdom, for the Support of the poor *Palatines*, of which seven Thousand eight Hundred and Thirty one Pounds, thirteen Shillings, and six Pence has been already charged, and there remains sixteen Thousand one Hundred and Sixty eight Pounds, six Shillings, and six Pence, payable at the Rate of eight Thousand Pounds a Year.

‘ Your Committee have likewise directed me to report, that it appear’d to them, that her Majesty had been graciously pleas’d to signify to his Excellency the Lord Lieutenant, her Royal Intention to grant the College five Thousand Pounds, according to the Address of this House, as soon as a Plan and Estimate of the Building design’d to be erected with that Money, should be transmitted to her Majesty, and your Committee was inform’d that the same was accordingly preparing.

‘ Your Committee likewise directed me to report, that it appear’d to them by Certificates from the Board of Ordinance of this Kingdom, that the Quantity of five Thousand Firelocks to be furnish’d with a suitable Proportion of Ammunition and Warlike Stores, thought proper for the Service of this Nation, would amount to the Sum of Seventy three Thousand Ninety two Pounds, according to the Particulars herewith delivered; and Mr. Secretary *Addison* and the Engineer-General have informed your Committee, that her Majesty has directed one half thereof to be provided in this Year, and the Remainder in the next Year.

‘ Your Committee have further order’d me to report, the Returns of the Sub-Committees for enquiring into the Queen’s Letters, Ordinance, and Barracks, as also the Return from the Sub-Committee appointed to enquire

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quire into the Establishment, with Directions to report at what times the Pensioners, Half-pay Officers and Soldiers were placed on, or taken off the Establishment, all which were hereunto annex'd.

On the 7th Mr. *Maxwell*, according to Order, presented to the House Heads of a Bill for the better instructing the *Irish* Papists in the Principles of the Church of *England*, as by Law establish'd; and on the 9th Mr. *Ludlow*, according to Order, Reported from the Committee of the whole House, appointed to take into Consideration the Supply granted to her Majesty; And also his Excellency the Lord Lieutenant's Speech; that they had come to several Resolutions in the Matter to them refer'd, which he read in his Place, and afterwards deliver'd at the Table, the most material of which was, that it was the Opinion of that Committee, that the Supply granted to her Majesty should be a Sum not exceeding 122952 l. 12 s.

Purchase
and Damaré
found guilty
of Treason.

Having gone thus far, we will leave the House to consider of the Ways and Means to raise this Supply, and now hasten into *England*, where *Purchase* the Bailiff and *Damaré* the Waterman, being tryed for High Treason, as those that abetted the Tumults, and headed the Mobb that pull'd down the Meeting-Houses. The first was found guilty, and the Jury having brought the other special, it was referred to the Opinion of the Judges, Nine of whom gave it against him for High Treason, and the three that dissented were, the Lord Chief Justice *Trevor*, Mr. Justice *Powell*, and Mr. Baron *Price*. But the Criminals were reprieved, and Execution respited from time to time, to the great Disappointment of the Whigs, who now saw very visibly they began to lose Ground, and grew very suspicious that the present Parliament would be dissolved. However they buoy'd themselves up a little for the present, that meeting on the 5th, pursuant to the last Prorogation, they were farther prorogued by Commission to *Tuesday* the 20th; many of them little dreaming that the true Reason of these short Prorogations proceeded from the Conferences of Peace still continued in *Holland*, as before related.

Reprieved.

Parliament
prorogued.

Mr. Oldes
Knighth'd.

But not entirely to overlook Affairs of less Moment we are to observe, that on *Sunday* the 4th Instant her Majesty was pleas'd to confer the Honour of Knighthood upon *William Oldes*, Esq; and at the same time to appoint him to be Gentleman Usher of the Black Rod, in the room of Sir *David Mitchell*, deceas'd. He was introduc'd by the Duke of *Shrewsbury*, Lord Chamberlain of her



her Majesty's Household. Mr. *Oldes* was first Gentleman Usher Daily Waiter to her Majesty before; from which Post Sir *Fleetwood Shepperd*, in the Reign of King *William III.* upon the Decease of Sir *Thomas Dappa*, was promoted to the Black Rod. This Gentleman formerly belong'd to the Duke of *Rutland* at *Belvoir Castle*, and had the Happinfs to come to be known to her Majesty, then Princess, at the time of the Revolution in 1688, when she retired into those Parts, he having the Honour to attend her with some Conveniences (she then wanted) from his Lord.

About this time also her Majesty thought fit to appoint *David Earl of Portmore*, to be Commander in Chief of her Forces in *Portugal*, in the room of the Earl of *Galloway*, who upon pretence of his frequent Indispositions with the Gour, was recalled; having, notwithstanding, I was almost a going to say, the Idolatry of the *English* Nation towards the *Frenchman*, scarce ever succeeded in any thing he undertook during the whole time of his Command in *Spain* and *Portugal*.

Now it was likewise that Sir *Nathaniel Lloyd*, Kt. her Majesty's Advocate-General, was made Master of *Trinity-Hall* in *Cambridge*, in the room of Dr. *Brampston* deceased. This Doctor *Lloyd* had the Honour of Knighthood conferred upon him on the 29th of the last Month. He was made her Majesty's Advocate-General upon the decease of the late Sir *John Cook*, and is a Person of great Eminency in his Profession. His Father, Sir *Richard Lloyd*, was some time Dean and Official Principal of the Arches of *Canterbury*.

The Whigs about this time felt a most pecking Blow in the Removal of the Earl of *Sunderland* (whom the Tories made to be one of the Juncto Ministers) from his Office of Principal Secretary of State. The Low-Flyers looked upon this Noble Lord as a Person of very great Probity, sincerely devoted to the Whig-Interest, and in whom they should never want an Advocate, while he had any Interest at Court: And being also the Son-in-Law of the Duke of *Marlborough*, they look'd upon his Interest to be as steady and immoveable as his Loyalty and Fidelity to the Crown and the Common Cause. His Lordship's Removal they softned with the Title of *Resignation*, and very confidently gave out, that there was a ready Offer made to him of a large Pension, which they said he absolutely refused, saying, Others might do as they pleased, but he would not be one of them that would plunder his Country.

June.

Ld. Dartmouth made Secretary of State. 15.

On the 15th in the Evening her Majesty was pleased to appoint the Right Honourable *William Lord Dartmouth* to be Principal Secretary of State, in the room of the Earl of *Sunderland*; my Lord *Dartmouth* had been one of the Lords Commissioners of Trade ever since her Majesty's happy Accession to the Crown, and continues in it of Course as Secretary of State, but without the Salary. Some of the Whigs that pretended to be more intelligent than others of that Party, seemed to be the more concerned at his Lordship's Promotion upon the Account of his Father who in the Reign of King *William* died a Prisoner in the Tower of *London*: Others flattered themselves otherwise, and gave out, this Promotion was wholly owing to the Lord Treasurer, who had made sure of him; and the generality of them at last seemed to acquiesce in an Opinion of the Integrity and Honesty of his Lordship, wherein I firmly believe they were in the right. And it was some Ease to the Minds of those that were most dissatisfied that the same Day that the Lord *Dartmouth* was sworn a Privy Councillor, Sir *Richard Onslow*, Speaker of the House of Commons, was also Sworn one of her Majesty's most Honourable Privy Council, and took his Place at the Board accordingly. My Lord *Dartmouth* made choise of *Richard Warre*, Esq; who was Under-Secretary to the Earl of *Nottingham*, and to Sir *Charles Hedges*, when they were Secretaries of State, and of *Erasmus Lewis*, Esq; who was Under-Secretary to *Robert Harley*, Esq; to be his Chief Secretaries.

Sir Rich. Onslow made a Privy-Councillor.

Ld. Dartmouth's Under-Secretaries.


Bank wait upon the Queen about Credit.

In the mean time the Bank of *England* being much allarm'd that the Earl of *Sunderland* should be turned out of being Secretary of State, represented to the Queen by the Duke of *Newcastle*, that if her Majesty made farther Changes in the Ministry, the Publick Credit would be much injur'd in the present Conjunction; upon which her Majesty on the 15th in the Morning gave leave that the Governor of the Bank, Sir *Gilbert Heathcote*, and four more, should attend her, and assured them she would make no farther Changes; but added withal, that when her Majesty had Occasion to alter any of her Ministers, it should be no Prejudice to the Bank, nor the Common Cause.

How represented by the Tories.

The Whigs by this forward pace thinking to do themselves and their Cause great Service, were the most mistaken of any that possibly could be; for the High-Flyers had the Artifice to put the blackest Colours imaginable upon it, calling it, *An Intruding into the Queen's Presence*, and representing it as the highest Indignity that Subjects could offer to a Crown'd Head. It would

would be an endless thing to rake into the Dust, that was rais'd upon this Occasion; its likely both sides were in some degree faulty; however the Low-Flyers fearing the worst, resolv'd on Midsummer-day to secure two Sheriffs for *London and Middlesex*, of their Party; the Election by a great Majority falling upon Sir *George Thorold* and *Francis Eyles*, Esq; whom they afterwards with Difficulty perswaded to hold.

June.

Sheriff of London chosen. 25.

The Paper-war between the Parties continued hotter than ever; if we should take upon us but to enumerate the very Titles of the Pamphlets that were publish'd, we should scarce have Room for them: The Parliament was Prorogued to the 4th of July, the *Paris Gazetteer*, (tho' his grand Master *Lewis* was continually on the losing side) was full of Tory and *Sacheverellite* Triumphs; he was pleas'd to inform us, mainly after his Brother Author *Abel*, in the *Gazette* of the 21st, that the High Church Party continued their Addresses as before, and continually shewed much Aversion to their Opponents; that the Counties of *Carnarvan*, *Anglesea*, and *Denby* in *Wales*, had entred into an Association by which they had bound themselves up not to trade with the Dissenters, that Dr. *Burnet*, Bishop of *Salisbury*, on the 18th preach'd in his Cathedral, against the Doctrine of Passive and Absolute Obedience, which was due to Princes; at which most of the Magistrates which were present, and the rest of the Auditors, were so offended, that they went out of the Church. But the same Bishop going also to preach in another Church in *Salisbury*, the Magistrates who were not aware of it, seeing him go up into the Pulpit, went all out except two; on the other hand, Dr. *Sacheverell* going by the way of *Oxford*, to take possession of a Living in *Shropshire*, the Earl of *Abingdon* went some Miles out of the City to meet him, with several Coaches and Six Horses, and two or three Hundred Horsemen; and entred *Oxford* amidst the Acclamations of the People, who fill'd the Streets for that purpose; that Dr. *Higgins*, an Episcopal Minister, in a Sermon preach'd by him in *St. Matthew's Church* in *London*, call'd the Bishop of *Salisbury's* Speech in the House of Lords, against Dr. *Sacheverell*, a scandalous Libel, without being censured for the Expression; That Mr. *Sacheverell* a near Relation of the Doctors, presented an Address to Queen *Anne*, from the Town of *Nottingham*, wherein, among other things, they assur'd her they would maintain the Doctrine and Discipline of the Church of *England*, as by Law establish'd, against all Antimonarchical, Antiepiscolal, and Atheistical Principles,

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ciples, which were daily reviv'd in the Nation. The same day Earl Pawlet presented another in the Name of a Corporation in the County of *Devon*, as Sir *Jacob Banks* did a Third from the Town of *Minehead* in the County of *Somerset*, being introduc'd by the Duke of *Ormond*; and all of them in a manner to the same effect as that from the Town of *Nottingham*; that Mr. *Dolben*, who began the Impeachment of Dr. *Sacheverell*, was dead of a Fever, and Mr. *Lechmore*, who was one of the Managers for the Commons against the same Doctor, was dangerously ill, which gave the People a handle to report, that 'twas a Judgment upon them.

That in the *Paris Gazette* of July 12th, when he comes to the Dismission of the Earl of *Sunderland*, upon which he shews a kind of Triumph, by informing the World that he is the Duke of *Marlborough's* Son-in-law; he added, They talk of several other Changes in the Ministry, and in both the Military and Civil Posts; and that these removes were attributed to the Heat with which the Presbyterians have acted against the Episcopal Party, tho' much more numerous than the other; that the first of these have given a fresh Instance of their Animosity at *Ely*, in the County of *Norfolk*, where they dragg'd along the Streets, and afterwards burnt a large Picture of Dr. *Sacheverell*, which was made by them for that purpose; that on the other hand, that Doctor having left *Oxford* on the 12th, in order to go and take Possession of a considerable Living conferred upon him in *Wales*, he was received by the Mayor and Aldermen of *Banbury* in their Formalities; that they complimented him upon his being acquitted, made him a present of Wine, and the Inhabitants honoured him with Illuminations and Bonfires; that he pursued his Journey on the 13th, and my Lord *Willoughby* entertained him at Dinner; that in the Evening, the Magistrates and Townsmen of *Warwick*, paid him the same Honour and Respect as those of *Banbury* had done; that he was on the 14th treated by my Lord *Craven*, and the following Days by the Earl of *Denbig* and divers other; and on the 17th came to *Coventry*, having been met by above Five Thousand People.

How particular soever he seems to be about the Drs. Progress, it's certain, this Ostentation of his lost him many considerable Friends, who began to suspect him of much more Levity and Vain Glory, than became his Sacred Function, while others look upon them to excuse him, and that he could not avoid the Honours that were done him.

How

Dr. Sache-
verell's
Progress.

How far these Domestick Jarrs might have an Influence upon Foreign Affairs, and retard a Peace, I shall not pretend to determine: It's certain, no Man in his Senses will take upon him to aver they contributed to forward it; however let us pass once more to *Gertruydenburg*, where we find the Conferences went on still, but very backwardly; the *French* seeming to grow cooler and cooler upon the Matter: An Express indeed arriv'd there from *France* on the 6th, which yet was not notify'd till the 10th, by which time the *French* Court was pretty well out of Pain for *Arras*, their Army having been for some time assembled, and in such Ground, as would make it impracticable for the Allies to come at them or the Town; and this probably had no little Share in regulating the Motions of the *French* Counsels, and the Instructions they sent to their Ministers, with whom the Field-Deputies on the 16th had Conferences from Morning till Night on this Capital Point, *how the Allies should be put into Possession of Spain and the Indies*, To which the Answer was, that the King was willing to concert the proper Measures with them according to the 4th Article of the Preliminaries: But this the Deputies could not think sufficient, for he was obliged to that by the Preliminaries, tho' the 37th Article had been struck out: Besides that it was inconsistent with a general Peace, which they had all along insisted on, and would necessarily engage them in a *Spanish* War, which they had by treating been endeavouring to prevent. But to understand their Meaning more distinctly, they desired them to explain themselves, what those Measures were, the King would come into: Would he join his Forces to theirs, to oblige his Grandson to accept the Terms he should make for him? Why yes, perhaps he wou'd. But in the discussing this Point, they took care to start a thousand Difficulties, to shew it was impracticable; such as these, how to settle what should be the whole Force employed to reduce *Spain* and the *Indies*; what Share each shou'd contribute; how they should act, jointly or separately; who should command; how and where and by whom their Instructions for acting should be form'd, and the like; and the same Difficulties might be started for the Sea-Service. Well, if these Measures are impracticable, as no doubt they are where one Party never designs to come heartily into them; what are those the King will come into? Why, he will contribute a certain Sum of Money towards the Expence the Allies shall be at on this Occasion. How now will this mend the Matter? How shall they be able to settle the Sum, and *the Reduction of Spain*.

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and secure the Payment? The first of these is a very difficult Point, when it comes to be drawn out into Particulars, and to be consider'd how hard it is to know the Expence of such a War, how long it may continue, when and where and at what time the Paymētēs shall be made; and if a Sum certain can be fixed at first, who shall settle the Proportion *France* shall pay, or oblige them to acquiesce in it? But if these Difficulties could be overcome, what Security can the Allies have for Payment?

The offer
impracti-
cable.

A very pretty one indeed, is that which the *French* offer'd, That the richest Bankers of *Paris* should be bound for it. One would be glad to know, what remedy the Allies could have against their Bankers in case of Failure, or how they can reach them. To take *Paris* it self, does not seem to me more difficult: But they are Men of Honour, and may be trusted. 'Tis true, and so they have been, till the King's Affairs have made the greatest of them Bankrupts. But if they were Men of ever so much Honour, or were ever so much concern'd to support their personal Credit in their own private Affairs; What is Honour or Credit against Reason of State, where an Arbitrary Prince is pleas'd to interpose? which the King has, this Summer particularly shewn he knows how to do; having for very great Sums taken the Debts of his Bankers on himself, and declared them his, and by that means has render'd all legal Remedies impossible. Before indeed their Credit was better than the King's, but by being us'd for him, it is sunk as low as his, and in effect become one with it, that is, no Credit all. And is not this a rare Security for the Allies to trust, for the Payment of such Sums as may be suppos'd to be the King's Share in the Charge of so expensive a War? And if Security could be given for a Sum certain, what is this, but in effect to sell a part of the *Spanish* Monarchy for a Sum of Money, towards carrying on a War, which he will take care to render ineffectual?

Deputies
make a
Report of
the French
Proposals.
18.

Upon the Report which the Deputies made the 18th, of what had pass'd in this Conference, the Allies had several Meetings to consider what should be the next Step. 'Twas plain from the account the Deputies had given, that it was to no purpose to think of concerting Measures with *France* for a War with *Spain* after a Peace made with them: What had been said about both Troops and Money, evidently shew'd, nothing of that kind could be thought of, which *France* would not be able to defeat, by the Difficulties with which they would

would take care to puzzle it; that all Proposals of this nature were not only inconsistent with the End for which these Conferences were resum'd, which was to find an Expedient for the 37th Article, and obtain the thing design'd by the Preliminaries, which was a general Peace; but also contrary to what had been from the beginning of them suppos'd, upon the French proposing a Partition: which could mean nothing else, but that they were willing the Spanish Monarchy should effectually be given up to the Allies, some part being taken out for the benefit of the Duke of Anjou: That if there were in earnest need of Force to compel the Duke of Anjou to it, which was not at all improbable, it ought to lie wholly on the King, since he had from the beginning promis'd the Restitution of Spain and the Indies, and had laid it down as the Foundation on which they were to treat; which left no Room to doubt but that the King knew he could by Persuasion or Constraint oblige his Grandson to consent to it, since otherwise such a Promise could have no other meaning in it, but from the beginning to amuse and impose on the Allies. But however, if Force were necessary, they were willing the Troops they had in Portugal and Catalonia should act in concert with the King's to obtain this End within the two months, or such other terms as should be agreed to. And whoever considers the Duke of Anjou's Dependence on France, will easily be satisfied, that if the King were sincere, and in earnest meant what his Ministers had all along promis'd in his Name, a small Force and a very little time would be more than enough.

Opinion of the Allies upon it.

Allies reject the Offer of Money for the Reduction of Spain.

Upon these Considerations the Allies resolv'd to reject the offer of Money they had made, because it suppos'd a particular Peace with France, and the Continuation of the War with Spain, which they could not consent to, for reasons given in the first Conference; and to demand of them to explain themselves upon the Subject of the Evacuation of Spain and the Indies in favour of King Charles, agreeably to the Preliminaries, before the Allies could declare their Intentions with respect to the Partition: and that unless they did this, all further Conferences would be to no purpose.

From the Cabinet, we shall again proceed to the French Army; after having continued since the 30th past between Montauban and Noyelles Sous Lens, where they had suffered very much for want of Water, they made a Moti- about a League backwards, and encamped their Right at Pampon, and their Left at Mount Vini. But before this Retreat, the French being sensible that they could

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not maintain that Post, quitted the same on the 3^d very early in the Morning, having ruined in a great measure the Sluice that was there, and stopped the new Canal made from the *Scarp* to the River *Sanfet*. The Allies posted again some Troops there, and immediately opened the new Canal aforelaid, whereby the Waters of the *Scarp* had their Course toward the said *Sanfet* and *Bouchain*, as they had since the beginning of the Siege of *Doway*, and their Intundation had received no manner of Damage. In the mean time the Town of *Doway* held out much longer than it was at first believed, for the Garrison being very numerous, and having but two narrow Places to defend, were in a Condition to make Sallies every Night, which retarded the Approaches, and besides they had sprung several Mines, which had very much damaged the Sap. They threw abundance of Granadoes and Fire works, which had burnt two or three times the Besiegers Bridges or Galleries, and spoiled their Lodgments. However the Besiegers had by the 5th made a Lodgment at the Right Attack upon the Glacis. They had made at the Left Attack Lodgments on the two Angles of the Glacis near the Pallisadoes; on the other hand, the Besieged defended their Outworks with all possible Obstinacy, but notwithstanding their frequent Sallies and Mines, the Allies made two Lodgments on the Glacis of the Counterscarp at the Right Attack, as also Lodgments on the Right and Left of the Left Attack of the Counterscarp of the Ravelins, and fired hard from the Batteries of Cannon and Mortars, to drive the Enemies from their Traverses. On the 9th at Night they opened the Saps at the Right Attack along the Pallisadoes, and made a good Lodgment there. We sprung likewise a Mine at the Point of the Angle of that Work, which blew up one of the Besieged. The Allies the 10th in the Morning fired with Five pieces of Cannon into the Covered Way, and continued the Saps, which yet went on but slowly, by reason of the prodigious Fire of the Enemy: Nevertheless, the Besiegers in the Night, between the 14th and 15th perfected a Lodgment on the Covered-way at the Right Attack, and repaired the Damages their Works received at the Left Attack, by the Bombs thrown very thick into the same by the Enemy, and they brought Nine pieces of Canon on the Batteries; they carried their Saps next Night at the Right Attack, under the traverse of the place of Arms, where they found a Mine, and another under their Battery of Mortars: They began on the 16th at Four in the Morning.

July.

ning to fire against the Ravelins with a Battery of seven Pieces of Cannon, and made a Line of Communication on the Left Attack: The Besiegers sprung two Mines that Night at the Right Attack, with so good an Effect, that the Enemy abandon'd all their Places of Arms, and the Besiegers made good Lodgments at both Attacks. Since which they brought several Pieces of Cannon on their Batteries, and fir'd so successfully, that the Breaches in the Ravelins being judged wide enough, all Things were in a Readiness to storm both of them by the 29th. Of which by and by.

In the mean time the Marechal de Villars repass'd the Scarpe near Arras, and returning to the Camp where the French Army lay on the 25th of May; the Cavalry of the Allies under the Duke of Marlborough decamp'd the same Evening, and having pass'd the Scarpe at Vitri, took the same Camp they had before between the last named Place and Arleux; the Horse was followed next Day by the Foot, and Prince Eugene's Army was ready to joyn on the least Occasion. But the Enemy did not think it convenient to hazard a Battle for the Relief of Douay, the remaining Particulars of which Siege we shall now go upon till the Surrender of it: And here we are to observe, that all Things being in a Readiness by the 19th, the Troops commanded for the Assault performed that Service with a great deal of Bravery, but met with so vigorous a Resistance, that a great many Men were killed on both sides: At last the Besiegers took Post on the Ravelin of Earth above the Breach on the Rampart; but at the other Ravelin, which was Stone Work, they could not lodge themselves further than the Top of the Breach; and the Sappers found it very difficult to work there because of several Wool packs which were burning. The Enemy sprung at the Ravelin of the Left, 3 little Mines and 2 large ones, besides another at the Ravelin of the Right, whereby the Allies lost many Men.

M. De Villars makes a Motion as if he would relieve Douay.

The Night between the 21st and 22d, they enlarged their Saps at the Right, as also the Communications before the Breach, and began to fire on the Right from their Battery to make a Breach, and the Battery which had been ruin'd the Day before the Mines, was re-established. The same Night about 6, the Besieged sprung two Mines at the Stone-Ravelin on the Left, which had this good Effect for the Besiegers, that they had an Opportunity to make a good Lodgment there. The same Day a Detachment of their Troops, who had the Night before taken Post behind a Redoubt near the Fort-Scarpe, began to work on a Dyke in order to cause the Water to

June.

overflow, and not only to cut off all Communication between the Town and that Fort, but likewise to drown most of the Works. The following Night from the 22d to the 23d, they perfected at the Right Attack the Bridge to the Ravelin on the Left, and covered the same with Earth and Turf, and cast up an *Epaulment*, or Work, for the better passing the same. At the Left Attack they enlarged their Lodgment on the Stone-Ravelin along the 2 Faces to the Traverse, which the Enemy possessed still, and enlarg'd the other on the Ravelin along the Right Face to the Traverse; they begun also to fire with 11 Pieces of Cannon, to make a Breach in the Wall of the Town. The Besieged let in more Water into the Ditch, whereby the same raised from 4 Foot to 8 or 9. On the 23d at Night the Prince of *Anhalt* having caused the necessary Dispositions to be made for attacking the 2 Ravelins at the Right Attack, they storm'd the same the 24th at 3 in the Morning, and lodged themselves thereon after a very little Resistance; some few Hours after the Enemy sprung 2 Mines under the Ravelin of the Right, whereby the Besiegers lost some Workmen, however they enlarged the Lodgments and Communication at the Left Attack. But at length the Garrison considering the Danger of holding out to the last Extremitie, on the 25th, at 2 in the Afternoon, beat a Parley, and offered to capitulate for the Town only, without including Fort *Scarpe*; but this being refus'd, they sent Hostages to both Attacks, *viz.* Monsieur *de Vallory*, Mareschal de Camp, with a Collonel and a Lieutenant-Collonel, to the Prince of *Anhalt*, who sent into the Town Major-General *du Troussel*, Collonel *Bevere*, and Lieutenant-Collonel *Morewitz*. They sent at the same time to the Prince of *Nassau* at the other Attack, the Sieur *Brandelet*, Mareschal de Camp, a Collonel and a Lieutenant-Collonel, and his Highness sent into the Town Major-General *Wassenaer*, and a Collonel and a Lieutenant-Collonel, of the Troops that were then in the Trenches. The Hostages were conducted to the Quarters of the Duke of *Marleborough*, where being again told, that no Capitulation could be granted to the Town without including Fort *Scarpe*, On the 26th in the Morning, Monsieur *Albergoriti* signify'd that he was willing to surrender that Fort at the same time as the Town, but that the same being not attacked, he pretend to remove all the Provisions and Ammunition that were in the same. This Pretension occasion'd a Conference in the Quarters of Prince *Eugene* of *Savoy*, and at last the Capitulation for the Town and Fort *Scarpe* were agreed upon the 26th, and signed by the

Douay
capitula-
ted.

the Princes of *Savoy* and *Marlborough*, and the Field-Deputies of the States on one Part, and Monsieur *Albargotti* on the other, after 52 days open Trenches.

June.

*Capitulation
sign'd.
26.*

The Substance of the Capitulation is as follows, *Viz.*

1. That the Popish Religion shall continue there without Alteration.
2. That the Gate of *Mores* shall be delivered the 27th of *June* to the Allies, and the Garrison shall march out the 29th.
3. That there shall be a Cessation of Arms during that time.
4. None of the Allies shall come into the Town till the 29th.
5. That all Officers, Military and Civil, shall march out the 29th, with the usual Tokens of Honour, six Cannon, and two Mortars, and two Days Provisions to *Cambrai*.
6. All the *French* King's Servants shall be allowed to march out, or to stay 3 Months, to settle their Affairs.
7. The Allies shall furnish 100 Waggon, and 600 Horses, for the Use of the Garrison.
8. That the Sick and Wounded shall stay where they are till they be cur'd, and be furnished with Carriages when they go out.
9. That the Garrison shall have 6 cover'd Waggon which are not to be visited.
10. That no Soldier shall be taken out of his Rank as they march out, except Deserters, but any that please may take Service under the Allies.
11. That no Man in the *French* King's Service shall have his Person or Goods arrested for Debt, provided he give good Security for to pay it.
12. That the Garrison shall carry out what Cattle they have paid for.
13. The Wives and Children of the *French* Officers shall be allow'd to stay 3 Months in the City, and have Passports *Gratis*.
14. That those belonging to the King's Works shall have the same Liberty.
15. That for such Houses as have been burnt, or broke down by the Garrison, the Damages shall be settled according to the Capitulation of *Lisle*.
16. That no Horses taken by Parties, and sold to the Townsmen, shall be taken from them.
17. That all Arms, Cloaths, and other Things belonging to the Garrison, shall in 2 Months be sent whither they think fit, without paying any thing but for Carriage.
18. That none of the King's Servants be detained for Debt, provided they leave Hostages.
19. That upon delivering up the Gate, the Governor shall have Passports for such Couriers as he sends to the *Mareschal de Villars*, or the King.
20. That Hostages on both sides shall be exchanged, on fulfilling the Capitulation.
21. That the Magistrates and Burghers shall give an Account of any Bonds from the Garrison to them.
22. The Inhabitants shall have Liberty to stay 3 Months, or to go whither they please with their Effects.
23. That all Officers and Soldiers taken on both sides,

June.

shall be exchange'd with those of their own Rank, and an Equivalent given for Lieutenant *Gbedille*, who is to be exchange'd with Colonel *St. Mark*. 24. What belongs to the University, Colleges, Schools, Magistrates, Revenues, &c. shall be given an Account of by the Citizens, and the like as to the Manufacture of Mr. *Hustlin*. Commissary *Bermont* was to remain Hostage for the King's Debts, and the Magazines and Mines were to be delivered. Those who had any Effects in *France* should have Liberty to go and look after them, and all Prisoners in general should be given up on both sides. The Garrison of Fort *Scarpe* was to march out at the same time, with two Cannon, 2 cover'd Waggon, 20 others, 2 Days Provisions, and leave their Muskets in the Magazine.

The Generals having transmitted an Account of this Capitulation to their respective Masters, and all Things being ready for evacuating the Place by the 29th, the same was perform'd accordingly, the Garrison amounting only to 4527 Men, and 1 Dutch Battallions, and 1 Saxon marched into the Place, of which Lieutenant-General *Humpesch* took Possession as Governor. Brigadier *Des Roques*, Engineer-General of the States, being made Governor of Fort *Scarpe*, took at the same time Possession thereof. The Allies found in the Place 40 Pieces of Brass Cannon, 200 of Iron, 8 Mortars, with Ammunition and small Arms, but Provisions began to be short. On the 30th past, when the Duke of *Marlborough* went into the Town to view it, he was met and complimented by the University in a Body, and Messire *Adrian Delcourt*, Provost of *St. Peter*, and Chancellor of the said University, made unto him the following Speech.

My LORD,

Speech of
the Chan-
cellor of the
University
of Douay
to the Duke
of Marl-
borough.

30.

WE come to assure your Highness of our most humble Respects, and of the inviolable Fidelity we shall have towards our new Sovereign. 'Tis with much Joy and Justice that we pay you our Devours. We cannot sufficiently respect a Sovereign Prince of the Empire, a Duke, a Generalissimo of the Armies of Great-Britain, a Heroe, whose Victories and Conquests have amaz'd the World. *Germany* and the *Netherlands* are, my Lord, Eye-Witnesses of your Heroick Actions. You have beaten your Enemies at *Hochstet*, *Ramstein*, *Oudenarde* and *Blancas*: You have forc'd Lines in *Germany*, which seem'd impenetrable, and in *Brabant* you have broken into others by a singular Conduct in Sight of a powerful Army, which you put into Confusion: You have conquer'd the Country of *Liege*, the Spanish

Ged.

Gelderland, Brabant, Flanders, and Part of Hainault:
 ' You go from Conquest to Conquest, and the least Step
 ' you advance further, you subdue a whole Kingdom.
 ' We do not compare you, my Lord, with Heroes of
 ' Antiquity, whose great Actions were sullied with all
 ' Manner of Vices. You are a Heroe, wise, moderate,
 ' just, gracious, generous, and equally averse to Cruelty
 ' and Debauchery. No Wonder then that the Emperor
 ' has made you a Prince of the Empire; that the Queen
 ' of *Great-Britain* has conferr'd the highest Honour and
 ' multiply'd Favours upon you; that Her Parliaments
 ' have given you all possible Proofs of Esteem and Af-
 ' fection, and that the *French* themselves have on a
 ' thousand Occasions proclaim'd your Praises. We should
 ' never have done, my Lord, should we enter into a
 ' more particular Survey of all your Heroick Actions,
 ' and your admirable Qualities; but we must consider
 ' that we ought not to detain too long a Prince whose
 ' Moments are so precious. Give us leave only to desire
 ' the Protection of your Highness for our University,
 ' which stands in great need of it. We might in a Re-
 ' volution, be expos'd to some Storm inconsistent with
 ' that Peace and Tranquillity which are so necessary to
 ' make the Sciences flourish; but we shall have no
 ' Cause to entertain any Fear, if you are pleas'd to grant
 ' us the Favour we most humbly ask. We shall be in-
 ' finitely oblig'd to you, my Lord, for it, and shall of-
 ' fer up our Prayers to God for the Queen of *Great-Bri-
 ' tain*, your Highness, and happy Success to all your
 ' Enterprizes.

To which his Grace was pleas'd to answer:

Gentlemen,

' **Y**OUR Obedience to your New Sovereign will
 ' render you assur'd of the Queen my Mistress, and
 ' her High Allies Protection; and you have no reason
 ' to doubt of all the good Offices that I can do for You
 ' upon all Occasions, since it is to establish the Publick
 ' Tranquillity that the Confederates have taken Arms;
 ' and the Sciences must flourish of Course, by the Re-
 ' storation of Peace which they so ardently seek for.

*Duke's
 Answer.*

June.



At the same time the University paid their Duty to the Illustrious Prince of Savoy, and the States Field-Deputies; to the first by Monsieur *Adrian Drelcourt*, as beforementioned; and to the latter by the *Sieur Brisfaulx*, Professor of Law, in these Words:

To the Prince.

Speech of
the same
to Prince
Eugene.

May it please Your Most Serene Highness of Savoy,
WE come to make our most humble Submission to Your most Serene Highness, and to assure you of the Inviolable Fidelity which we shall have for our New Sovereign. Our Fathers, of whom several are still alive, have been very Faithful to the House of *Austria*; we have been so to the most Christian King, and shall be the same to our New Master. We should with Pleasure have set forth the Reasons, my Lord, which induce us to pay our Respects to You. Your Royal Birth, Your Field-Victories, Your Conquests of Impregnable Towns, and all Your good Qualities, which are Famous through all the World, had been our Theme. We had represented You, without Flattery, as an Incomparable Heroe: But we understand that Your most Serene Highness cannot endure either Harangue or Compliment, wherein Your just Praises are set forth. Suffer us at least to demand the Honour of Your Protection for our University, which was founded by one of the greatest Kings in the World, from whom You are descended, my Lord, by *Catharine Michaele* of *Austria*, the Daughter of *Philip II.* of *Spain*. We hope You will be pleased to grant it us, the rather because we are fully apprized of Your extraordinary Delight in the Liberal Sciences; and that there are scarce any good Books of History or Religion, but you have read with Pleasure. We shall be infinitely obliged to You, my Lord, for this Condescention, and shall offer up Prayers to Heaven for your Health and Prosperity, for a long Life for the Emperor, and for the happy Success of all Your Enterprizes.

To which his Highness reply'd:

Prince
Eugene's
Answer.

THAT the House of *Austria* was always remarkable for Piety and Justice to all Mankind, but would have a special Regard to the Rights and Privileges of such Places as had been founded by Them, and to the Progress of Learning; that they should not only

only find in Him a Hearty Advocate for their Ancient Immunities, but an Intercessor with their Sovereign, to grant them new ones more advantageous and extensive than the former.

June

To the States Deputies.

My Lords,

THE more the University of *Doway* considers the Birth and happy Progress of your Triumphant Republick, the more we find our selves engaged to admire the Superior Genius that governs and conducts it with so much Glory and Success. Who would have believed, my Lords, that your Republick was establish'd to be one Day the most Powerful Support of the August House of *Austria*, and to secure to Her the great Number of Tottering Crowns which she has always worn with Distinction? So great a Work cannot receive its finishing Stroke but by Men of so rare Merit as your Excellencies. The Town of *Doway* has been some-time under another Master, but the University has never forgot, even for one Moment, the infinite Advantages it received from *Philip II. of Spain*, its glorious Founder.

Speech of
M. Brit-
faul to
the States-
Deputies.

Your Excellencies will easily judge by these Declarations, that you may promise your selves any thing from the inviolable Fidelity and Affection of the University for their High Mightinesses Service. We hope your Excellencies will not refuse it the Honour of your most powerful Protection, which it makes bold to demand of you, but with the Submission and respect due to Illustrious Persons, who render their Republick so venerable for its Justice, Valour, Moderation and Prudence, that it may justly be called the Wonder and the *Rome* of our Age.

To this Compliment M. Gossinga returned the following Answer:

Gentlemen,

WE dare promise, in the Names of their High Mightinesses, that your Privileges shall remain inviolable, and that as they have undertaken this necessary War to suppress all Encroachments on the publick Liberty, so they shall take all imaginable Care that this University in particular share the Fruits of so much Blood and Treasure which it has cost them to bring about their glorious Designs.

Deputies
Answer.

The *French* had very much magnified the Loss the Allies sustained in the Siege of this important Place;
we

June.
 List of the
 Kill'd and
 Wounded.

we shall insert here an exact List of the Wounded and Slain, viz. 3 Lieutenant-Colonels, 3 Majors, 27 Captains, 35 Subalterns, 100 Sergeants, and 1899 private Men kill'd; and two Lieutenant-Colonels, four Majors, 50 Captains, 152 Subalterns, 242 Sergeants, and 3267 private Men wounded. Of the Artillery, 54 killed and 96 wounded. Engineers, 13 kill'd and 33 wounded. Miners, 12 kill'd and 12 wounded. Total kill'd at both Attacks, 2142 Men, and 5865 wounded; whereof the English lost of Lieutenant-General Earl's Regiment, 3 Sergeants and 91 private Men kill'd; one Major, two Captains, eight Subalterns, ten Sergeants, and 192 Soldiers wounded. *Mordant*, one Subaltern, seven Sergeants, and 42 Soldiers kill'd; and two Captains, five Subalterns, nine Sergeants, and 137 Soldiers wounded. *Sabine*, one Captain, one Subaltern, five Sergeants, and 49 Soldiers kill'd; and two Captains, seven Subalterns, ten Sergeants, and 137 Soldiers wounded. *Primrose*, one Captain, six Sergeants, and 29 Soldiers kill'd; and two Captains, seven Subalterns, six Sergeants, and 142 Soldiers wounded. *Preston*, one Captain, three Sergeants, and 47 Soldiers kill'd; and one Captain, five Subalterns, 11 Sergeants, and 175 Soldiers wounded. *Hamilton*, one Subaltern, six Sergeants, and 75 Soldiers kill'd; and two Captains, three Subalterns, five Sergeants, and 120 Soldiers wounded. *Sutton*, one Major, three Captains, one Subaltern, and 110 Soldiers killed; and one Lieutenant-Colonel, three Captains, four Subalterns, nine Sergeants, and 104 Soldiers wounded. *Hollywood*, two Subalterns, eight Sergeants, and 76 Soldiers killed; three Captains, three Subalterns, six Sergeants, and 164 Soldiers wounded. Total of the English Men kill'd 570, and 1339 wounded.

Should we, now the Siege of *Doway* is over, make a short Trip into *France*, under the Cover of Count *Albergoni*, we shall find him upon his Arrival at Court made Knight of the Order of the Holy Ghost, and Governor of *Saar Lewis*, in consideration of the brave Defence he made in *Doway*, as the Marshal *de Villars* was appointed Governor of *Metz*, and the County depending thereupon. We shall also find that the general Assembly of the Clergy having brought to a Conclusion all the Business for which they were called together, broke up the 20th after they had that Day waited on the King at *Versailles*, and made a very Complementing Speech to him by the Mouth of the Bishop of *Troyes*.

The

The Armies on both Side were in the Field in *Catalonia*, and the Co-petitor Kings at the head of them; the *French* and *Spaniards* were still upon the Bounce, and told us, That the *Spanish* and *Walloon* Troops from the *Netherlands*, being on the 8th arrived in *Philip's* Army, as did the next Day the Troops from *Valencia*, under the Command of General *Gajetano*; he resolved to pass the *Sagra* on the 11th, and his Army being form'd on the other side, they march'd in 6 Collums to *Los Acres* on the 11th, being about two Leagues from the Enemy. The 12th they made another Motion, and Lieutenant-General *Verboom* was detach'd with a Regiment of Dragoons, to take a view of the Camp of the Allies. That General being return'd, the other Generals were order'd to go likewise and view the Situation of the Enemy, and the Army march'd to *Belcaire*, within half a League of the Enemy, from whence they advanc'd the 13th, in Order of Battle within half Canon-shot of their Camp, and continued there about an Hour and half, during which time the Enemies made such a Fire upon his Troops, that he lost a great many Men and Horses, so that finding the Enemies advantageously posted, that they had intrench'd their Camp, and that they had 9 large Batteries to defend the Approaches thereof, he did not think fit to Attack them, and so the Army return'd to *Belcaire*; they added that King *Philip's* Army consisted of 42 Battallions and 60 Squadrons, and that of the Arch-Duke of 30 Battallions and 43 Squadrons, besides the Reinforcements they expected from *Italy*, with which account the Allies agreed.

The *Spaniards* seeing that King *Charles* would not come out of his Camp, resolved to advance further into *Catalonia*; for on the 15th, King *Philip* sent a Detachment of 2000 Foot and 600 Horse, under the Command of Count *Mahoni*, Lieutenant-General, *Dén Pedro Ronquillo*, Major-General, and the Count de *Montemar*, Brigadeer, to *Cervera*. They took Possession of the Town the same Evening, the Garrison being retir'd to *Calaf*, where there is a Castle; mean while the Count de *Montemar*, went with the rest, to possess himself of *Tora*, a place between the Mountains, thro' which the Enemy receiv'd their Convoys. They pretended that Count *Mahoni* had found at *Cervera* 5270 pair of Shoes, 2800 Shirts, 2616 pair of Stockings, some Neckcloths, and a Quantity of Sugar; adding that the Count de *Montemar* advanc'd within 9 Leagues of *Barcelona*, and being inform'd, that a Convoy of 300 Mules, laden with Meal and Corn, was coming to the Enemy's Army, he went to

Philip's
Army ad-
vance into
Catalonia.
16.

June.



to meet it; that those who conducted it, threw down the Sacks, and made their Escape upon the Mules, whereof only 14 were taken, but that he caus'd the Meal and Corn to be carried away; after which, he went towards *Calaf*, to rejoyne Count *Mahoni*, that he had drawn 4 Peices of Cannon from *Cervera*, with which he Attack'd and took *Calaf*, and found therein 2000 Sacks of Meal, which were sent to the Army, and soon after forced the Castle to Surrender.

Having thus given you the Relation of the Enemy, who also talked much of the great Desertion of the Allies, in whose Army General *Stanhope* arrived from *Italy*, on the 29th Ult. Count *de Salves* on the 6th Instant marched with the Royal Regiment of Dragoons to meet K. *Charles*. Count *Staremberg* thinking his presence absolutely necessary in the Army at this time to Animate them, in case they were Attacked by the Enemy, who being the Allies were much inferior in Number, would not in all probability neglect to make use of their Advantage. The same Day they learnt that their Garrison in the Castle of *Estadila* had yielded themselves to the Enemy Prisoners of War; the 7th in the Morning early, the Counts *d'Alalaya* and *de Nassau* went a little way from the Camp with 15 Squadrons to receive the King, most of the General Officers accompanying them: His Majesty in the Evening gave out the Word, and on the 8th went on Horseback to an Eminence, whence he had a full View of our Troops, and was saluted with a tripple Discharge of the Artillery and Musquets. Having reviewed the Army, he had on the 11th Intelligence, that the Enemy having sent away their Baggage, had passed the *Sagra* the Night before with their whole Army, and were incamp'd near *Belois* within 3 Leagues of him. The following Night they lay upon their Arms; the King staid with the Generals in the Camp, and the heavy Baggage was sent to *Balaguer*. Upon an advantageous Eminence on the Right Wing, were posted two Battallions of *Starembergh*, and two of *Raventan*, under the Command of Count *Giblen*, and a Breast-work was thrown up there. The 12th at Day-break, four Cannon and two *Hauwitzers* were planted there, to scour the Plain before the said Eminence. On the Left Wing like care was taken to cover that Flank, it being thought the Enemy would make their Attack on that Part. Entrenchments were likewise made in divers other places, and the Artillery was well planted. The King was with the Generals, and they saw the Enemy's Army advancing towards them, in Number about 40

Batt.



Battalions and 60 Squadrons; and after their Army had stood about two Hours in Battalia within half a League of them, they retir'd and encamped near *Belcayra*. That General *Nebot* with two Regiments of Miquelets and some regular Forces, pass'd the *Ebro* the 9th in the Night, and attacking the little Town of *Mora*, carried it after some Resistance, making the Garrison of 200 Men and 17 Officers, Prisoners of War. That on the 19th one of King *Charles's* Parties took at *Monsenagro* 25 Waggon's laden with Corn and other Provisions for the Duke of *Anjou's* Army, which they brought to the Camp with 17 Troopers and their Horses. That the same Day General *Nebot* with another Party of Miquelets and Regular Troops advanced in the Night to the Enemies Camp and brought off 100 Horse and 200 Mules.

The 20th a Captain-Lieutenant of *Gorge's* Regiment, who was sent to *Fraga*, with a Party of 50 Horse and 50 Hussars, met with a Party of the Enemy of 200 Horse, which he attack'd, and put shamefully to Flight, brought away a Captain, a Cornet, two Volunteers, and 20 Men with their Horses. And that on the 21st one of our Partizans brought in 20 Mules and 10 Horses.

Thus we see each Party tells his Tale, and what makes for his Advantage; but we must leave *Spain* at present, and pass into *Italy* to look after the Reinforcements long expected from thence for *K. Charles*. These Troops consisted of about 4000 Foot and 600 Horse, besides 1000 Imperial Recruits and Horses to remount *Rochford's* Dragoons. On the 12th Sir *John Norris* detach'd four Men of War to convoy the Transports to *Barcelona*; he likewise detach'd five *English* and four *Dutch* Men of War to cruize in the height of *Toulon* for a Convoy, which the *French* expected from the *Levant*. The same Day he sailed with the rest of the Confederate Fleet with two Imperial Regiments, to go to the Assistance of *Sardinia*, upon certain Advice that the Duke of *Tursis*, was sailed with his Gallies and some Land-Forces to invade that Island. The 13th they came before *La Bastida* in *Corfica*, and saw a little *French* Merchant Ship coming from the *Archipelago*, which upon the Approach of our Fleet retir'd under the Cannon of that Place; but Admiral *Norris* sent some Boats which brought away the Ship, but the Men had made their escape on Shore. A Bark coming from the Shore, brought the Admiral Advice, that the Duke of *Tursis* having continued for some Days in *Porto Vecchio*, was sailed for *Bonifacio*, with a Design to execute his intended Enterprize against *Sardinia*; whereupon they sailed again, and the 16th came into

Sir John
Norris
relieves
Sardinia

June.

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Sir John
Norris
relieves
Sardinia

June.

into the Bay of *Terra Nova* in *Sardinia*, where they found four Tartanes of the Enemy which had landed there 400 Men and 60 Officers under the Command of the Count *de Castillo*. They took the same Day in the Evening those four Ships, and understanding by the Prisoners, that the said Count with his Forces was but two Miles off that Shore, the Admirals resolved to land some Forces to attack them, which was done the next Day. They march'd directly to *Terra Nova*, where the Enemy were posted, but the Count *de Castillo* seeing it was in vain for him to offer any Resistance, surrender'd at Discretion; so that they took 450 Soldiers Prisoners, with 63 Officers, and several Persons of Quality, Natives of *Sardinia*, who being disaffected to the present Government, had joyned the Enemy, or had gone with Count *Castillo* in this Expedition, in hopes that their Interest would occasion an Insurrection in favour of the Duke of *Anjou*.

Their Enterprize having succeeded beyond Expectation, and there being no Danger of any Rebellion on that side, the Troops returned on board the 18th, and the Admirals resolved to go in quest of the Duke of *Tursis*, who, according to the Report of the Prisoners, was gone into another Gulph on the other side of the Island, to land the rest of his Forces. On the 19th they came, by favour of a fresh Gale into the Canal of *Bonifacio*, where they were informed by a *Neapolitan* Felucca, that the Duke of *Tursis* was sail'd the Night before from thence to retire into the Gulph of *Ajazzo* in *Corfica*; whereupon they made all the Sail they could, in hopes to overtake him in that Bay; but that Morning, the 20th, that they came into the same, they were informed, that the Duke of *Tursis* foreseeing that they would pursue him, was sail'd thence the Night before with his Gallies, having left in this Gulph eight large Barks with 500 Soldiers on board, and the greatest part of his Ammunition, Artillery, and Provisions, in hopes that they would not take them in a Neutral Place; but Sir John Norris thought fit to seize them, and signified to the Republick of *Genoa*, that the Queen of Great Britain his Mistress could not but express, on all Occasions her highest Resentment against them, for having permitted the Duke of *Tursis* one of their Subjects, to make in their Dominions such an Armament, designed against one of the Kingdoms belonging to the King of Spain her Ally; and that looking upon their Permission, or Connivance as a Breach of their Neutrality, he would attack the Queen's Enemies in all their Harbours.

Sir John
Norris
threatens
the Ge-
noese.

Being

Being not at leisure at present to follow the Fleet to *Barcelona*, we will pass into the Country of the *Grisons*, and there meet with an Adventure concerning a private Gentleman that has made a pretty deal of Noise in *Europe*.

A Gentleman of *Geneva*, call'd *Masner*, who has a great Interest in his Country, had been all along a violent Opposer of the Intrigues of the *French*, and favoured in every thing the Cause of the Allies; and some Years ago, when a *French* Army was in *Bavaria* and the Heart of the Empire, it happened that a great Convoy of Money which the *French* were sending thither was taken by the Allies. The *French* imputed this great Loss to the Artifices and Management of this Mr. *Masner*, and resolved to be revenged of him; but there being no Possibility to execute any violent Design against him as long as he kept in his Country, they resolved to punish the Father in the Person of his Son, and knowing that the young Gentleman was at *Geneva*, they resolved to seize him and carry him away.

The better to succeed therein, they imploy'd one *Merveilleux*, Brother, or at least a near Relation, of the Secretary-Interpreter of the *French* Ambassador in *Switzerland*, to entice young *Masner* out of *Geneva*, upon Pretence of a Country-Diversion, but they were no sooner got upon the Territories of *Savoy*, but they were seized and carry'd away to the Fort *l'Ecluse*, where *Masner* was committed close Prisoner, and it appear'd that *Merveilleux* had been carry'd away only to conceal his Treachery. Mr. *Masner* having Advice of the Violence committed by the *French* against his Son, thought it was in vain to make Application to the *French* Ambassador in *Switzerland*, or any other Minister, and knowing the Character of the Nation he had to deal with, immediately with his Friends and Servants seized Mr. *Merveilleux*, Secretary and Interpreter of the *French* Ambassador, and confin'd him close Prisoner in his own House. That Gentleman made a great Noise, complaining of the Violation of the Laws of Nations, and Immunities of publick Ministers, but in vain, only he gave him leave to send an Express to the Ambassador of *France* at *Solothurn*, and another to *Versailles*, with the whole Account of his being seized, and the Declaration made unto him by the said Mr. *Masner*.

A great many Things have been said to and fro, and negotiated about this Affair, and *Masner* at length agreed to release *Merveilleux*, on condition his Son were also discharged, which the *French* not performing, he made more valuable Reprizals another way, which shall be

July.

accounted for in its due Place: All that we shall add here concerning Mr. Masner the Father, is, that the Queen of Great-Britain, as a Mark of her Esteem, made him a Grant of Arms.

French
Fishery
Seiz'd.

The High Church party were all this while gaining Ground apace in England; the detail of which it would be an endless thing to enter upon, and therefore we will for the present observe to the Reader, that the French, contrary to the Agreement, that the Fishery in the Channel should be unmolested on either side, having taken two Vessels with Necessaries on board, for the use of the Mackel-boats; we did now by way of Reprisal, seize on most of their Fishing-boats, which were not to be released till the two Vessels were return'd, and Satisfaction given for the Infraction of the Agreement, which the French soon thought it best for them to comply with. In the mean while the Low-flyers began to conclude in earnest, the Parliament would be Dissolved, whereas others could not be brought to believe it, before more material Alterations were made in the Ministry; and so it happened, for the Parliament, which stood Prorogued from the 4th to the 28th, was farther Prorogu'd by Commission to the 2^d of August.

Parlia-
ment Pro-
rogu'd.

Dr. Bro-
derick
made a
Prebendary
of West-
minster.

On the 16th her Majesty was pleas'd to appoint Henry Fairclough Esq; to be Sheriff for the County of Cumberland, in the room of William Balcanquhall Esq; deceas'd, before this, or near the beginning of the Month, Doctor Laurence Broderick, Chaplain to the Honourable House of Commons, was made one of the Prebendaries of Westminster, in the Room of the Rev. Dr. Birch, lately deceas'd.

The Right Honourable Charles O'Hara, Lord Tirawley, was made one of the Privy Council in Ireland.

Mr. Sid-
ney made
Comptrol-
ler of Ex-
cise.

Thomas Sidney Esq; is made Comptroller of the Excise-Office, in the Room of Scroop, Lord Viscount How, in the Kingdom of Ireland.

William Earl of Dalhousie, Lieutenant Colonel of the Scotch Foot Gurds, commanded by the Marquess of Lathian, and Colonel Biset were made Brigadiers General; Colonel Henry Watkins was to be advanced to the same Post.

C. Cotte-
rel Esq;
succeeds
his Father.

Her Majesty on the 12th was pleas'd to appoint Clement Cotterel Esq; to succeed his Father Sir Charles lately deceas'd, in the Place of Master of the Ceremonies, which has been enjoyed by this Family successively ever since the Year, 1641: And John, Earl of Anglesea, made Receiver-General and Paymaster of the Forces on the Irish Establishment, in the room of the Lord Coningsby, was sworn a Privy Councillor.

As

As to Civil Promotions; Colonel *Brown* was appointed Ambassador from Her Majesty to the Emperor of Morocco; and *James Croft*, Esq. who had been Envoy Extraordinary to the Princes of the House of Lunenburg, was appointed to go again in the same quality to the Court of Hanover; but dying soon after, his Place was supply'd by *Richard Earl Rivers*.

Colonel Brown appointed Ambassador to the Emperor of Morocco.

In this Month likewise came on Mr. *Glendon's* Tryal, by Order of the House of Commons, for writing a Book call'd, *A Treatise of the Word PERSON*; reflecting upon the Divinity of our Saviour, before the Lord Chief-Justice *Parker*, at *Guild-hall*: And, after a long Tryal, the Jury found him Guilty of it; but some Points in Law arising, they brought in a special Verdict.

Mr. Glendon's Tryal.

Lastly, Let us not forget, that Mr. *Samuel Palmer* (sometime a Dissenting Minister, but conform'd about a Year ago to the Church of England, and is now Minister of *Malden* in *Essex*) upon the Recommendatory Letters of His Grace the Duke of *Ormond*, Chancellor of the University of *Oxford*, was also created Master of Arts there, a Convocation having been call'd for that purpose. And on the 26th the 1500000 l. Lottery was begun to be drawn.

Mr. Palmer made Master of Arts.

We will once more pass to *Gertruydenberg*, and see the end of the Negotiations there: And having before given an Account, that the Allies rejected the Offer of Money for the Reduction of *Spain*, that Resolution was signified to the French Plenipotentiaries, in a Letter to them from Mr. *Pottocum* of the 8th, to which they declin'd giving a distinct Answer, but desir'd another Conference, which was accordingly had with them on the 13th; in which the Deputies having fully explain'd the Sense of the Allies, and the Resolution sent them by Mr. *Pottocum*, (not that it wanted an Explanation, tho' the Plenipotentiaries had thought fit to say so, to avoid giving a distinct Answer to it) they insisted on a like clear and full Explication on the part of *France*. And this being a home Push, which left no room for Evasion, when they saw themselves thus press'd, they resolv'd to put the best Face they could upon the matter, and were pleas'd to call this peremptory Summons to explain themselves, *A formal Rupture of the Treaty*; and therefore nothing was to do for them, but to return home. The Deputies gave them Time to send once more to Court, desiring there might be no Delay; and so they parted. The Express they sent did not stay above 2 or 3 Hours at *Versailles*, as if he had gone meerly for Form sake, and was back again at *Gertruydenberg* the 18th, which they notified on the

Another Conference at Gertruydenberg.

French Plenipotentiaries depart.

July.

20th, with the following Letter, in the form of a Manifesto, to the Pensionary, and went away themselves on the 25th.

French
Plenipo-
sentiaries
Letter to
the Pen-
sionary,
July 20.

S I R,

YOU know that we have agreed to whatever Messieurs the Deputies have proposed to us; and it cannot be said that we have varied upon any Point whatsoever, much less that we have retracted the Offers we had made by Order of the King our Master, with Intention to procure a Peace, so necessary to all Europe.

Messieurs the Deputies have taken the Matter otherwise. You have not forgotten what has pass'd between them and us from the beginning of the Negociation: Give us Leave, Sir, to lay before you the Proposals newly invented, unjust, and impossible to be executed, which those Gentlemen, for a final Answer to ours, made to us in the last Conference. They told us,

That the Resolution of their Masters and their Allies, was to reject absolutely all Offers of Money on the Part of the King to assist them to maintain the War in Spain, whatever the same might be, and whatever Security His Majesty would give for the Payment.

That the Republick and Her Allies pretended to oblige the King our Master to make War singly against the King his Grandson, to compel him to renounce his Crown; and that without Uniting their Forces to those of His Majesty, they would have that Monarch dispossest of Spain and the Indies, within the Term of Two Months.

That this Term expiring, without the Catholick King's being actually driven from the Throne, the Truce to be agreed between the Allies and the King our Master should cease; and, that they would resume their Arms against His Majesty, tho' he should have perform'd all the other Conditions contain'd in the Preliminary Articles.

That before the Signing of those Preliminaries, they were willing, upon the Condition abovemention'd, to explain themselves positively as to the Partition, which they would consent to leave to the King of Spain; and that they would likewise facilitate an Agreement upon the further Demands to be made.

Lastly, That they might be willing to permit, as a Favour, that the Troops they have in Portugal and Spain, should act jointly in Concert with those of France, during the space of two Months, to facilitate the Conquest

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quest of *Spain* and the *Indies*, which His Majesty should be oblig'd to make in Favour of the Archduke: But that immediately upon the Expiration of that Term, those Troops of the Allies should cease so to act, and that the Truce should break off.

We represented to Messieurs the Deputies, that these Propositions were contradictory, as well to those they had all-along made to us, as to the 4th and 5th Articles of the Preliminaries, whereto the 37th Article, which 'twas our Business to regulate, related, as to the Manner of Securing to the Allies all *Spain* and the *Indies*.

They answer'd, That the Concession of a Partition, on which they would explain themselves afterwards, and which they have not yet declar'd, gave them a Right to insist now upon more than the 4th and 5th Articles import.

We Replied to this, with an unanswerable Argument; by demanding of them, whether in all our Conferences a Partition had not been the Matter in Question? And whether upon that Foundation they had ever requir'd any thing else of us, than the taking of Measures in Concert, and the Union of Forces?

Messieurs the Deputies did not deny it, for they could not, but said, that if they had propos'd the taking of Measures by Concert and the Union of Forces, they would do it no more; that they had Order to declare it in the Name of the Allies, and to tell us, that they pretended in a Word, Whether the Partition were accepted, or whether it were not, to receive from the Hands of the King our Master the Monarchy of *Spain* and the *Indies*, leaving to him alone the Care of employing such means, either of Persuasion or of Compulsion, as he should judge most effectual, to put the Archduke into the actual Possession of his Dominions within the space of two Months.

So formal a disclaiming of all the past Proceedings, and of all the Demands made on the Part of the Allies; as also the rejecting whatever was possible to be done on our Part, sufficiently discover, Sir, a form'd Design to break off all Negotiation.

'Twas needless to allow us the Term of Fifteen Days, for our procuring the Answer of the King our Master to these Demands, altogether new, and till now unheard of, the Performance of which is out of his Power.

July.

His Majesty has long since intimated, That for the sake of a definitive and secure Peace, he would yield to such Conditions as he himself could execute; but he will never promise what he knows impossible for him to perform. If by the Injustice and Obstinacy of his Enemies, he be depriv'd of all Hope of obtaining Peace; then, trusting in the Protection of God, who is able when he pleases to humble those whom unhop'd for Prosperity elevates, and who make no Account of the publick Calamities, and the Effusion of Christian Blood, he will leave it to the Judgment of all Europe, even to the Judgment of the People of *England* and *Holland*, to distinguish who are the true Authors of the Continuance of so Bloody a War.

On one hand, they will see the Advances which the King our Master has made, the Consent he has given to the hardest Proposals, and the Engagements into which His Majesty yielded to enter, for removing all Diffidence, and forwarding the Peace. On the other hand, they may observe a continual Affectation to speak obscurely, that there might be always room to form Pretensions beyond the Conditions agreed, insomuch that we had no sooner yielded to one Demand, and such as seem'd to be the utmost that could be ask'd, but it was receded from, to substitute another more Exorbitant in its place.

They will likewise perceive a Variation, solely regulated either by the Events of War, or by the Facilities which the King our Master shew'd for Peace. It appears by the Letters written to us by Messieurs the Deputies, that they themselves do not deny this.

Last Year the *Dutch* and their Allies look'd upon it as an Injury, that Men shou'd think them capable of demanding of the King to unite his Forces to those of the Confederacy, to oblige the King his Grandson to quit his Crown. They appeal'd even to the Preliminaries, which speak only of taking Measures by Concert: They have since made no Difficulty to insist peremptorily upon it.

They would now have His Majesty undertake it singly; and they have the Assurance to say, That if they would have formerly contented themselves with less, their Interest, which they now better understand, induces them not to be content with it any longer. Such a Declaration, Sir, is a formal Rupture of all Negotiation; and 'tis what the Chief of the Allies wish for.

Should

Should we continue longer at *Geztrigdenberg*,
 should we spend whole Years in *Holland*, our Stay
 would be to no purpose, seeing those who govern the
 Republick are perswaded, that 'tis their Interest to
 make the Peace depend upon an impossible Condition.
 We do not offer to persuade them to prolong a Nego-
 ciation, which they have a Mind to break; and in
 short, whatever Desire the King our Master has to
 procure Quiet to his People, it will be less grievous to
 them to support the War, an End of which they know
 His Majesty would purchase by so great Sacrifices, a-
 gainst the same Enemies with whom he has been fight-
 ing those Ten Years, than to have him add the King
 his Grandson to those Enemies, and imprudently un-
 dertake to conquer *Spain* and the *Indies* in Two
 Months, in a certain Assurance, when that Term is
 expir'd, to find his Enemies strengthened by the Places
 he must yield to them; and by Consequence, in a
 Condition to turn against himself the New Arms he
 should put into their Hands.

This, Sir, is the positive Answer which the King has
 order'd us to make to you upon the new Propositions
 of Messieurs the Deputies. We do it at the End
 of Six Days instead of Fifteen, which they had al-
 low'd us as a Favour. This Dispatch may serve at
 least to satisfy you, that we do not seek to amuse you,
 and that if we have frequently desir'd Conferences,
 'twas not to multiply them to no purpose, but to omit
 nothing that might conduce to Peace.

We pass over in Silence the Proceedings towards us
 in Contempt of our Character. We say nothing to
 you of the injurious Libels, full of Falshood and Ca-
 lumny, which have been suffer'd to be printed and
 dispers'd during our Stay, with Design to inflame the
 Minds of those whom we were labouring to Reconcile.
 We do not even complain, That in Breach of the Pub-
 lick Faith, and in Contempt of our so oft repeated
 Complaints, all the Letters which we have receiv'd or
 written, have been open'd: From which however this
 Advantage results to us, that the Pretext made use of
 to palliate those Indignities was discovered to be ill-
 grounded. None can reproach us with having at-
 tempted any of the least Practices contrary to the Laws
 of Nations, which were violated towards us. And 'tis
 palpable, that by hindring any from making Visits to
 us in our kind of Prison, the thing most fear'd was,
 our discovering such Truths as were industriously kept
 conceal'd.

July.

• We desire you will please, Sir, to return an Answer by our Express, whom we have order'd to wait for it; or if you will not answer, to give him a Certificate of your Receipt of this Letter. We are most entirely,

Sir, *Your most Humble and most Obedient Servants,*
HUXELLES. *The Abbot de POLIGNAC.*

It's very manifest, That this Lett' was writ with all the Art of a *French* Writer, and of an able Minister, and, that it is as well done as the Cause they were to defend would admit; let us now see the Answer that was made to it, which runs thus.

An Extract from the Register of the Resolutions of Their High Mightinesses the Lords the States-General of the United Provinces of the Netherlands.

On Wednesday the 23d of July, 1710. at half an Hour past Six a-Clock in the Evening.

Resolutions of the States-General, in Answer to the Plenipotentiaries Letter, 23.

THE *Sieur de Randwijck* and other Deputies of Their High Mightinesses for Foreign Affairs, reported to the Assembly, That the Counsellor Pensionary *M. Heinsius*, had communicated to them a Letter of the *Sieur the Marshal d'Uxelles*, and the *Abbot de Polignac*, Plenipotentiaries of His Majesty the King of *France*, written to him by the Counsellor Pensionary from *Gertruydenberg* the 20th instant, as an Answer to what had been propos'd to them in the last Conference by the Deputies, the *Sieurs Buys* and *Vander-Dussen*, and upon which they had debated: That they the said Deputies for Foreign Affairs had judg'd the Contents of that Letter, to be of such a Nature, as to concern not only the State, but also all the Allies; and therefore thought it their Duty to communicate it to their Ministers residing here, to the end that every thing hitherto having been done in Concert with them, the like Rule might be observed in this Affair. And that the said Ministers, as well as they the Deputies, were of Opinion, that the said Plenipotentiaries, rejecting by their said Answer the Propositions made to them, declaring that 'twas useless to hold any more Conferences upon those Propositions, and thereby breaking off the Negotiations on that Subject, nothing more remain'd to be done on the Part of the High Allies,

than

than to acquiesce therewith, and to enter into no more Conferences as long as the Enemy shall continue in such Sentiments, because, while they are in this Temper, further Conferences could produce no good Effect, but would only create Animosities, instead of disposing and forwarding things towards Peace, which this State and its Allies have always sought.

Upon which Their High Mightinesses having deliberated, approve and agree to the Opinion as well of the Deputies as of the Ministers of the High Allies; and have also thought fit and resolv'd, That the Deputies the Sieurs Buys and Vander-Dussen, shall be requir'd and authoriz'd, as they are by these Presents, to signify it by a Letter to the said Plenipotentiaries, without entring into a Debate upon the Contents of the Letter above-mention'd, notwithstanding it might with much Facility and Reason be refuted, as well with respect to Things as Words.

That besides, a Copy of the said Letter shall be put into the Hands of the Sieur de Randwijck, and other Deputies of Their High Mightinesses for Foreign-Affairs, that they may Concert with the said Ministers what is proper to be done further; conclude thereupon with them, and make a Report of the whole here to this Assembly.

E. v. Hierfum. F. Fagel.

[This agrees with the Register.]

An Extract of the Register of the Resolutions of Their High Mightinesses the Lords the States-General of the United Provinces.

Sunday, July 27. 1710.

THE Sieur de Randwijck, and other Deputies of Their High Mightinesses for Foreign-Affairs, having by Virtue of their Commisorial Resolution of the 23d instant, and in Compliance therewith, conferr'd with the Ministers of the High Allies, upon the Letter of the Marshal d'Uxelles and the Abbot of Polignac, written to the Counsellor Pensionary Heinsius, and dated from Gertruydenberg the 20th past, being in Answer to what had been propos'd to them in the last Conference, by the Deputies the Sieurs Buys and Vander-Dussen, and which was the Subject of that Conference. And having consulted together what might be proper to do and to resolve thereupon, have reported to the Assembly, That the

Particular Answer to it, July 27.

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said Ministers, joyntly with them the Deputies, had unanimously express'd a deep Concern, to see that the Enemy, by breaking off the Negotiations which had been resum'd in order to attain a good and general Peace, had dissipated the Hopes that were entertain'd from those Negotiations, and put back the Peace which was so earnestly wish'd for on the Part of the Allies: But having consider'd, that Peace cannot be made unless the Enemy have a mind to it, and it appearing clearly, that such Willingness is as distant from their Thoughts in effect, as in specious Words 'tis near in their Mouths, nothing remains for the State and their High Allies to do, but to acquiesce, tho' with Regret, with this Rupture, and to satisfy their own Minds with the firm Persuasion they are in, that their Intentions to settle Peace upon solid and equitable Foundations, were sincere; and that having ardently desir'd to attain thereto, had the Thing been possible, no impartial and equitable Person can impute to them the Rupture of the Negotiations and the Continuance of War: For tho' the abovesaid Letter is full of abusive Accusations, and odious Expressions, and endeavours to fasten upon the High Allies the Rupture of the Conferences, and the Prolongation of the War, as if they demanded Things new, unjust, and impossible to be executed; the Truth of the Fact remains ever the same, and it is no less evident, that the Fault lies wholly on the Enemy, who have departed from the Foundation on which the Negotiation was begun, and study Pretences to evade the Execution of the Capital Point, that is to say, the Restitution of *Spain* and the *Indies*.

To prove this evidently, let it be consider'd; that for a long time while the Enemy were desiring to enter into some Conference, and into a Negotiation for Peace, the Allies neither would nor could consent to it, unless for a Foundation certain Points were agreed, upon which the Work of the Negotiation might be built and upheld for obtaining a Good and General Peace; among which Points the first and principal was, Restitution of *Spain* and the *Indies* to King *Charles* the 3^d, which was granted by *France*, even before the coming of M. *Rouillé* and the Marquis de *Torcy* into this Country, and consequently before the Conclusion of the Preliminary Articles, by which that Restitution is confirm'd more at large, and stipulated and promis'd anew; And therefore no Person can think it strange, that the High Allies insist upon so Capital a Point as that which is the Cause of their entering into the War, and for which it has lasted so long a time;

time; nor that the said Allies should require an entire Security upon a Point of so great Importance.

That the said Allies judging that Security was no otherwise to be had than by the 37th Article of the Preliminaries, and his Majesty the Most Christian King having not thought fit to approve the said Preliminaries, because of the said 37th Article; therefore that Article came to be the Subject of the Negotiation, which the Enemy have now broken off, and which was set on foot for the finding out some Equivalent, by which the same Security might be given to the Allies as they had by the said 37th Article of the Preliminaries. That in the first Conference held upon this Subject at *Gertruydenberg*, between the Marshal *d'Uxelles* and the Abbot *de Polignat* on the one Part, and the Sieurs *Buy* and *Vander Dussen* on the other; these Latter have represented, That the Propositions which till then had been made, to give to the Allies cautionary Towns in the *Netherlands*, to serve in Lieu of the Security which they suppos'd they had by the 37th Article of the Preliminaries, could not be accepted, because the Allies would be thereby engag'd in a separate and uncertain War against *Spain*, while *France* would enjoy Peace; and that it could not reasonably be requir'd of the Allies, that they should continue in a War liable to all kinds of Accidents, and wherein they shou'd even run the Risque of never recovering *Spain* and the *Indies*; but that 'twas as necessary that Peace should be General; the Plenipotentiaries of *France* appear'd so well perswaded of it, that in that first Conference, and the others next following it, they propos'd, That since they saw the Allies would be satisfied with no other than a General Peace, with the Restitution of *Spain* and the *Indies*, of which King *Philip* continued possess'd, there were but two Ways to reduce him to relinquish them, the one that of Compulsion, the other, that of Persuasion: The first, they said, would be hard to *France*, and the last would not be practicable, unless some Portion of the Spanish Monarchy might be put into their hands, whereby the 'foresaid King might be induc'd to give up the rest: And thereupon having demanded, Whether for the Procuring a General Peace, the Allies might not hearken to a Partition, they propos'd several Alternatives, one of which being agreed, the Monarchy of *Spain*, deducting from it the Portion to be left to King *Philip*, should be transferr'd to King *Charles*. After divers Conferences, the Plenipotentiaries of *France* reduc'd at last the said Alternatives to *Sicily* and *Sardinia*; which on the Part of the High Allies neither could nor ought

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ought to be understood otherwise, than that those Two Kingdoms being left to the Grandson of his Most Christian Majesty, he should be thereby perswaded by *France* to restore to the High Allies the rest of the Monarchy of *Spain*, of which he was still in Possession: But the High Allies discovering, from what pass'd in the last Conference but one, and by the Report of the Deputies, that altho' the High Allies should prevail with themselves to accept the Proposition which had been made for obtaining a General Peace, it would remain uncertain whether they should thereby acquire a General Peace, because the said Plenipotentiaries of *France* did not explain themselves clearly, that in such a Case *Spain* and the *Indies* would be put into the Hands of King *Charles*, according to the Preliminaries; but even seemed to suppose the contrary: For one of the two took upon him to propose (tho' as his private Thought) whether the Allies should content themselves, if the King of *France* would assist them with a certain Sum of Money, to help them to conquer *Spain* and the *Indies*. They judg'd, that before they declar'd themselves upon that Proposition, 'twas absolutely necessary to be thoroughly inform'd of the Intentions of *France* in so Weighty and so Essential an Affair. And, in order to this, they desir'd the *Sieur Petkum*, who formerly had been employ'd in the Negotiation, and was so again for this End, to talk about it with the Plenipotentiaries of *France*; and to acquaint them that the High Allies could not accept what had been propos'd touching a Subsidy; because that suppos'd a Separate Peace with *France*, and the Continuation of a War separately against *Spain*, to which the Allies could not consent for the Reasons alledg'd in the first Conference; requiring, at the same time, a plain Declaration of the Intentions of *France* upon the Point of the Evacuation of *Spain* and the *Indies* in Favour of King *Charles*, conformably to the Preliminaries, before the Allies could on their part explain themselves upon the Proposition of a Partition: With this further Declaration on the Part of the Allies, that their Intention was, that the Foundation which had been laid, namely, the Restitution to them of *Spain* and the *Indies* according to the Preliminaries, should remain firm; and that on that Foot the Negotiation might be continued; but that if any Offer was made to depart therefrom, the Continuation of the Conferences would be fruitless. That the said Plenipotentiaries having not thought fit to answer in any manner to what the *Sieur Petkum* had propos'd to them; and having some Days after demanded a new

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Conference, and the Deputies having observ'd by an Answer they receiv'd from them; that they were ready to explain themselves upon what the *Sieur Perikum* had propos'd, the said Deputies went again to *Gertruydenberg*; where the said Plenipotentiaries told them, That tho' they did not think themselves obliged to receive a Message by the *Sieur Perikum*, yet they had been found there so General and Ambiguous, that they had not receiv'd any Order thereupon: Wherefore the said Deputies did so well explain and justify the said Proposition to the said Plenipotentiaries, that they left remaining no Doubt or Ambiguity concerning it; representing to them, that the High Allies could not accept the Proposal of Subsidies, for the Recovery of *Spain* and the *Indies*; and deducing their Reasons for it; namely, because by the Discourse which pass'd about it in the preceding Conference, they clearly perceiv'd that no Agreement could ever be made, but that mighty Difficulties would occur, either as to the Sums, or the Security for the Payment of them, or the Security to be given by *France* not to assist directly or indirectly the Duke of *Anjou*: [From which it appears, that the Refusal of all Offers of Money of what Nature soever, and what Security soever could be propos'd, is a little too liberally asserted in that Letter] But the principal and essential Reason why that new Proposition of the said Plenipotentiaries could not be accepted was, because it suppos'd a Separate War with *Spain*, and that that Kingdom and the *Indies* were to be conquer'd by the Arms of the Allies; which was contrary to the First Foundation and to the Intention of the High Allies. Further, In Explanation of the remaining part of the Proposition of the said *Sieur Perikum*, the said Deputies represented, supporting what they advanc'd with good Reasons, that the said Plenipotentiaries having propos'd a Partition, and having reduc'd it to *Sicily* and *Sardinia*, the High Allies had always been, and still were persuaded, the true Sense of that Proposition was, that in case they would declare themselves thereupon, the Preliminary Articles would then remain entire, as well the 37th as all the rest, which *France* had declar'd shou'd subsist before this *Négociation* was resum'd; and that by consequence *Spain* and the *Indies*; with their Dependencies, should be restor'd conformably to the Preliminaries; that is to say, within the Time therein express'd, or within such other Time as should be agreed upon: and that if the said Restitution were not made accordingly, what was stipulated in the Preliminaries should have Effect; namely, that the Suspension of Arms should cease; That
this

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this Point of the Restitution of *Spain* and the *Indies*, with their Dependencies, being the Foundation and the essential Point of the Negotiation, the Allies could not continue in any Uncertainty concerning it, nor be content with Words and Promises, without being sure that they would have Effect: That therefore they conceiv'd a positive Declaration ought to be given them thereupon, before they explain'd themselves touching the Partition propos'd; but when they should be plainly inform'd and satisfy'd with respect to the 'foresaid essential Point, they would facilitate Means for terminating all the rest, and bringing it to a good Conclusion; That among the Means proper to be made use of for facilitating the Affair, this might be one; viz. That in case the King of *France* could not persuade his Grandson to quit and yield up *Spain* and the *Indies*, according to the Preliminaries, but shou'd be oblig'd for that End to use Measures of Compulsion, then the Allies wou'd likewise cause their Troops in *Spain* and *Portugal* to act for the same purpose, during the Time limited for the Cessation of Arms, or during the farther Time that should be agreed; tho' according to the Preliminaries they were not oblig'd thereto, but only to remain during such time in Inaction. That the Allies have judg'd it necessary to explain themselves by the Deputies thus clearly and precisely, and to demand a like Explanation on the part of *France*, the said Plenipotentiaries took upon them (as was propos'd to them) to write again to Court; and in Consequence they have now sent the Answer contain'd in the Letter abovemention'd.

'Tis notorious and indisputable, That before any Negotiation was begun, that while the Preliminaries were treating, that by those Preliminaries themselves, that before this last Negotiation was resum'd, and all the while it lasted, the Restitution of *Spain* and the *Indies* has ever been laid down for the firm and immoveable Foundation of the Negotiation, and, that there is no Question remaining concerning it, unless only, that the Allies insist on having an entire Security given them, that this Foundation (once laid) shall remain fix'd, and be not overturn'd; and that what has been promis'd them concerning it from the very first, and without Difficulty, shall have its full Effect; or at least, that a Security be given them equivalent to what they think they have by the 37th Article of the Preliminaries; this essential Point being of so great Importance, that 'twould be acting against all manner of Prudence and Reason, to consent that the smallest Doubt should remain concerning it.

It

It is likewise clear and evident, That the High Allies have a Right to demand for the House of *Austria*, the Restitution of *Spain* and the *Indies*, with their Dependances, not only of the Duke of *Anjou*, as having Possession of them, but principally of the King of *France* as the Person, who, contrary to a Renunciation and solemn Treaties, got Possession of them in the manner universally known, and who by consequence is oblig'd to restore them. Nor can the *Impossibility* alledg'd exempt him from it; for besides, this *Impossibility*, which cannot by any means be taken for granted, has no other Cause than the said King's own Act and Deed, in putting his Grandson into a Condition to maintain himself against his Will in the Possession wherein his said Majesty plac'd him, by which his said Majesty's Obligation to Restitution would not be in any manner diminish'd. No Man can let himself be easily perswaded, that the Grandson of his said Majesty, who out of *Spain* has no Support or Supply but from his said Majesty, could or durst undertake to keep Possession of *Spain* and the *Indies*, if his said Majesty would, *bona fide* and sincerely, signify his Will to him on that Subject, and make him feel the Effects of such his Will if need should require, particularly when the High Allies shall concur with him during the Time of the Truce. This is so manifest, that 'tis not to be conceiv'd how otherwise the Most Christian King could, without making any Difficulty, promise the Restitution of *Spain* and the *Indies*, even before the first Negotiation was begun; how he could lay it down for the first Foundation, upon which all has since been built; or how People could have any other Opinion than this; namely, either that his said Majesty very well knew the Will and Intention of his Grandson, to give up *Spain* and the *Indies*, or that he knew how to compel him to it if it were necessary; for otherwise it would follow, that his said Majesty did from the first design to amuse the High Allies, and to cajole them, by promising them so essential a thing that he had neither in his Will nor in his Power to effect; which is not to be presum'd, unless one would call in Question his good Faith; the rather, because in a Conference held here last Year with the Ministers of *France*, one of them said, That perhaps King *Philip* would be at *Versailles* before him; a plain Proof, That there was no manner of Doubt then at the Court of *France* of a thing which they would now pass upon us for impossible; and that they were thoroughly perswaded that at all Adventures the matter depended wholly on the Will or on the Power of his Most Christian Majesty.

From

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From all this it undeniably results, That in the last Conference the said Deputies demand nothing on the part of the High Allies, but what from the first Beginning and in the Progress has constantly been laid down for a Foundation; what they might demand with Justice; what *France* was able to perform; and consequently that what is alledg'd in this Letter, and so often repeated in it, namely, That the Propositions made by the Deputies in the last Conference were newly invented, unjust, and impossible to be executed, is altogether groundless; seeing the Restitution of *Spain* and the *Indies*, with their Dependencies, except what should be otherwise agreed upon, has been with Reason always demanded from the Beginning to the End, and could not have been propos'd on the part of *France*, but as a Thing possible; and was reputed such, and is so still by the Allies.

'Tis very easy to disprove what is alledg'd in divers other Parts of this Letter, particularly, that the said Deputies did often vary; did contradict themselves in different Propositions; did propose some contrary to the 4th and 5th Articles of the Preliminaries; did retract at one time what they had advanc'd at another; and several other the like Things, which are therein set forth in an odious manner; for it appears by what is said above, that the said Deputies have always had this Thought, and could have no other than this, *viz.* That the Proposition of a Partition, on the Part of *France*, was made in this plain sense and meaning, that if it could once be agreed, all the Difficulties that have hitherto occur'd in the Execution of the Preliminaries would thereby be remov'd; and at the same Time those Difficulties would be prevented, which consist in the taking of the Measures mentioned in the 4th Article; which Measures likewise would not subsist if that Article could be separated from the 37th, which it could not, if the unexpected Case should happen, that the Duke of *Anjou* should refuse to quit *Spain*; and *France*, after having employ'd two Months in vain, should have Occasion for the Assistance of the Allies, to make him abandon not only *Spain* and the *Indies*, but likewise the whole *Monarchy* without the least dismembring.

In the last Conference but one, the said Plenipotentiaries gave Occasion for some Discourse, whether proper means might not be found to secure to the Allies the Restitution of *Spain* and the *Indies* more effectually: But the said Deputies did not therefore depart from their first Sentiment, which was, That the Proposal of a Partition

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tion had been made to facilitate the said Restitution, and to execute (by Favour of that Partition) the Preliminary Articles in all their Parts: But the Discourse which pass'd on that Subject affording Ground to apprehend that *France* had a contrary Intention, this gave occasion for demanding a fair Explanation from that Court, and for declaring plainly in the last Conference, the Thought of the Allies on that Subject; yet it cannot therefore be said of those Deputies, that they have varied, and have contradicted themselves, and retracted, as they are accus'd, seeing they always kept to the principal Point, namely, the Security which the Allies ought to have with respect to the Restitution of *Spain* and the *Indies*.

In like manner, all that is alledg'd of the pretended Variation of the Allies according to the Events of War, and the Facilities of *France* to forward the Peace, is destitute of all Foundation, as are also the Instances brought to prove it; for it is not known, nor is it any way acknowledged on the Part of the Allies, that the last Year they would have looked upon it as an Injury to be thought capable of demanding of the King of *France*, that he should unite his Forces with theirs, this having never been alledg'd, neither last Year nor this, in any of the Conferences; and if any thing may have been elsewhere, no Conclusion can be drawn from it: And certainly, had the Allies been inclined to vary according to Events, what has pass'd since the adjusting of the Preliminaries, as the Conquest of the Town and Citadel of *Tournay*, the Victory of *Malplacquet*, the Reduction of *Mons*, the Passage of the Lines near the *Scarpe*, and the Taking of *Doway*, would afford them Ground sufficient.

As to the said Plenipotentiaries enlarging in several Places of their said Letter upon the Hardship of the Conditions, which are to oblige the King their Master to make War singly against his Grandson, and providing that in case the Restitution of *Spain*, and the *Indies*, should not be entirely perform'd within two Months, the Truce should cease, notwithstanding the King of *France* should have executed all the other Conditions of the Preliminaries; 'tis to be observ'd, That what is said in one place, namely, That the King should make War singly against his Grandson, is contradicted in a subsequent Period a little lower, where 'tis said, That the Troops which the Allies have in *Portugal* and *Catalonia* shall act in Conjunction with those of *France* during the space of Two Months: For although it be there added, that this should be only as a Favour, (for so they thought fit to style

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style it, to render odious a Concession which the Allies are willing to make) and that after the expiration of that Term, those Troops should cease to act; yet 'tis certain, that this would be no inconsiderable Assistance, for the said Time of Two Months, or for such other longer Term as might be agreed; nor could it be thought extraordinary, if those Troops should act no longer, seeing that after the prescrib'd Term the Truce must expire: Besides, those who exclaim against the Hardship of obliging the most Christian King singly to procure the Restitution of *Spain* and the *Indies*, would do well to reflect what a Hardship it was when his said Majesty possess'd himself singly of the Spanish Monarchy, and put the rest of *Europe* in danger of becoming his Prey likewise. But in Reality, the Thing being duly consider'd, 'twill not be found that there is more Hardship in it, than what is incidental to all Contracts or Treaties that stipulate some Restitutions, and particularly such as import the Restitution of Things which are unjustly possess'd: In the mean time, it may not unreasonably be presum'd, from the Posture the Affairs of *Spain* are now in, that it would not cost his said Majesty the most Christian King much Trouble, to oblige, either by the Way of Persuasion or that of Compulsion, his Grandson to make Restitution of *Spain* and the *Indies*, provided his Majesty would go about it sincerely, and that his Grandson and the Spanish Nation were thoroughly persuaded, that 'twas the serious Intention and unfeigned Will of his said Majesty. Besides, there is no more Hardship in this than in all other Conventions and Treaties, that the Truce should cease upon the Expiration of the Time limited for the Restitution of *Spain*; for, as the Allies would have Cause to take it for an Infraction of the Treaty, if any Towns that might be stipulated to be yielded to them, should not be deliver'd up within the Time prescribed, and to endeavour to procure Satisfaction by Arms; so 'tis yet more just and reasonable, That if an Article so important as that of the Restitution of *Spain* and the *Indies* should not be executed within the Time stipulated, they should have a Right to resume Arms to obtain the most essential Point of all that might be agreed; nor could it be deem'd a Hardship, if the Allies in such a case should make use of all their Forces. Further, the High Allies have the more Reason to insist, that *France* procure the Restitution of *Spain* and the *Indies*, within the Time prescrib'd, because it appear'd clearly enough by the Discourse of one of the Plenipotentiaries, That should they come even to joyn their Forces to obtain that

Resti



Restitution, so many Obstacles would be form'd or might be form'd in the Execution, that there would never be an end of it; he having given so understand, That 'twill be necessary first of all to examine and settle, What Number of Land-Forces each shall contribute, Whether 'twill be best to act joyn'tly or separately, How or where the Troops shall serve, How many Ships of War shall be used, Where shall they be employ'd, Who shall command the Land-Forces and who the Naval, Who shall nominate to those Commands, What Instructions shall be given to those Commanders, Who shall draw up those Instructions, and several other such Difficulties, by which 'tis easy to comprehend, that so many might be created that 'twould be an endless Business.

'Tis indeed affirm'd in the said Letter, That the Court of *France*, and for them the said Plenipotentiaries, had consented to all that was propos'd to them, and that they never varied or retracted any thing: But 'tis hard to guess wherein this Facility of theirs consisted; they never so much as consented to declare War against *Spain*, in case the Duke of *Anjou* should refuse to quit it, though 'twas propos'd to them; and when they were come into this Country to treat of an Equivalent for the 37th Article of the Preliminaries, after having first promis'd they would abide by all the other Articles, themselves propos'd a Partition to serve for an Equivalent, and reduc'd it to *Sicily* and *Sardinia*; and now when they are ask'd to declare positively, whether the Preliminaries would then be sign'd and executed, to the end that the Allies might declare themselves upon that Proposal of a Partition, they construe that Demand to be a Design to break off the Conferences; which is very far from that Facility which they magnify so much, and from consenting to every thing without any Variation or Retraction.

Doubtless the World must be astonish'd to hear, that after *France* had declar'd over and over, that all the Preliminary Articles should subsist, except the 37th, and had formerly offer'd in lieu of this last mention'd, as a Security for the Execution of the abovesaid other Preliminary Points, Three Towns in the Low-Countries in Hostage, (which could not be accepted, because they would not have exempted the Allies from a Separate War against *Spain*, while *France* should enjoy Peace,) and afterwards for removing this last Difficulty propos'd a Partition, which they even restrain'd to *Sicily* and *Sardinia*, as a proper Means for inducing the Duke of *Anjou* to restore *Spain* and the *Indies*; That after all this, *France* being summon'd to declare themselves upon the Execution of

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the Preliminary Points, to the end the High Allies might explain themselves upon the Proposition made to them, they should interpret that Summons for a Design form'd to break off the Negociation, as is said above.

Let the Court of *France* say, that the High Allies, instead of all the Preliminaries (the 37th Article excepted,) and the Cautionary Towns in the *Neiberlands* which were offer'd them, shall content themselves now with the above-said Preliminary Articles, (without the 37th Article still,) without the Cautionary Towns; shall besides let *Sicily* and *Sardinia* be deducted, and leave the Restitution of *Spain* and the *Indies* as uncertain as before; let that Court cry this up, as if they had consented to every thing, without any Variation or Retraction; let them accuse the Allies of Injustice and Obstinacy, because they will not accept so rare a Proposition; let them not fear to invoke thereupon, with a seeming Humility, the Divine Protection; and let them impute to the Allies the publick Calamities, and the Effusion of so much Christian Blood, of which in the mean time the possessing themselves of the Spanish Mornachy, and the Duke of *Anjou's* still detaining what he can of it, are the grand Cause; which Calamities and Effusion of Blood they might immediately put a Stop to, by restoring what they have invaded contrary to the good Faith of the most solemn Treaties: 'Tis manifest from the whole Conduct of *France* in this Business, that the Proposition of a Partition, as also that of regulating previously the further Demands reserv'd in the Preliminaries, which they had advanc'd before, were made in no other View than to sow and create, if possible, Jealousie and Disunion among the Allies, thereby the more easily to gain their Ends, which are, as it appears clearly, to keep *Spain* and the *Indies*, notwithstanding the Restitution of them was agreed for the first Foundation of the whole Negociation; and as those Propositions were doubtless made with no other Intention than to disunite the Allies, there are in the said Letters divers Passages (which might indeed have been expected from Enemies, but never from Persons sent to re-establish Peace) which appear to be purposely invented to make ill Impressions on the Subjects as well of *England* as of this State, against the respective Governments; as if those who were at the Head of them, and the Chiefs of the Allies, were the Cause of the Continuance of this burthensome and bloody War: But that Cause is too well understood, and too plainly prov'd, for them to hope that such studied and odious Insinuations should make any Impression on the Minds of People

ple who breath the sweet Air of Liberty, who bear no Charge of War, but for the Defence of that inestimable Liberty, and whose Judgment is not corrupted by long Slavery and Oppression, as is that of other Nations, to whom otherwise the Allies might with much more Reason appeal, as to those who are sensible how dear the Thirst of Dominion over Neighbours costs them.

As to the Six Days which the said Plenipotentiaries employ'd in drawing up their Letter, which they would pass upon the World for a Mark of Sincerity, and not of amusing the Allies; it seems rather the Proof of a Resolution long form'd and kept ready to break off the Conferences. And they are in the wrong, to offer to insinuate, as they do in more than one place of their Letter, that the Term of Fifteen Days was prescrib'd them; for the Deputies demanded indeed that they should procure a speedy Answer, but they did not set them a Time: On the contrary, being ask'd whether they would limit a Time, they replied civilly, That they would not, and, That the Conferences having lasted so long, some days more or less would breed no Difference. As to the Complaint of the Plenipotentiaries, relating to their Persons, namely, a pretended Contempt of their Character, the Impression and Publication of abusive Libels, the opening of their Letters, the hindring the making of Visits to them, and their Lodging, as if they had been in a kind of Prison; 'tis to be consider'd, that the said Plenipotentiaries, pursuant to what had been agreed, came without Character, to treat Incognito and without Ceremony; and 'twas for that Reason no Ceremonial was observ'd on one Side or other; but all manner of Consideration was had for their Birth, Quality, and Merit; nor is it known, or can it be imagin'd, upon whom their Complaints on this Subject can fall: Neither is it known what they mean by the injurious Libels they complain of, such Libels being most severely forbidden in this Country; and tho' that do's not hinder, but here as well as elsewhere, some such may come abroad, yet the Government condemns them, and when the Authors or Printers are discover'd, they are punish'd according to the Laws. That it was never heard or known, that of the great number of Couriers which the said Plenipotentiaries have received and dispatch'd, and by whom no doubt they receiv'd the most important of their Letters, any one was stopp'd; or the Letters they sent by the ordinary Post intercepted. That no Person was ever hindred going to them, nor was any Order given to take Notice who visited them; but then in all the Frontier Towns the

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Custom being, that none enter unless he make known who he is, both at the Gate and to the Governour, it ought not to be thought strange, nor ought Exceptions to be taken, if this Custom was not discontinu'd during the Stay of the Plenipotentiaries at *Gertruydenberg*; that if any Person were withheld from going to see them, because they were afraid of being known, it cannot therefore be said that any were hindred from visiting them; tho' certainly the Government could not be blamed, if apprehending they would discover things which they desire to keep conceal'd, they had prevented them. Lastly, that the said Plenipotentiaries cannot call a kind of a Prison the Town which they agreed to make their Residence, and which they prefer'd to *Antwerp*, a large and noble City.

All which Reasons the above-mention'd Ministers of the High Allies and the Députies of their High Mightinesses, have thought proper to be sent to their Principals, with the Letter of the said Plenipotentiaries, and the Resolution pass'd thereon by their High Mightinesses the 23d of this Month; as also that they should be reciprocally exhorted, seeing the Enemy have thus broken off the Negociation which was carrying on for obtaining a good and general Peace, and therefore nothing remains but to continue and push the War with Vigour, to employ each all their best Offices with their Principals, to the end that nothing that is to be done may be neglected, but rather that every one may make all possible Efforts.

Which being taken into Deliberation, 'tis thought good and concluded, that all above-recited shall be communicated to the States of the respective Provinces, and that Copies of the said Letter, and of the said Resolution of the 23d of this Month thereupon, be sent to them, and that it shall at the same time be represented to them, That since it appears by the Event that the Enemy had no sincere Intention to treat in earnest of Peace, nor to restore *Spain* and the *Indies*, but that they have broken off the Conferences, without leaving any Cause or Subject for deliberating about continuing or discontinuing them, and that there is nothing to be done therefore but to push the War vigorously, Their High Mightinesses do not at all doubt, that the said Lords the States will in a Cordial, Patient, and Unanimous manner, use all possible and imaginable means to promote the common Cause, in hopes that God will continue to bestow his Benediction thereon, and, that by his Goodness and Assistance, the Enemy will be reduc'd to better Sentiments.

That

That besides, the said *Sieur de Randwijck* and the other Deputies of Their High Mightinesses for Foreign Affairs, shall be requir'd and commission'd, as they are by these Presents, to enter anew into Conference with the Ministers of the High Allies, and deliberate in what manner and by what means the War may be carried on every where with more Vigour, and to make Report of all to this Assembly.

E. v. Itersum. F. Fagel.

The Artifice of the *French* Letter cannot be more visible to an Impartial Reader, than the Plainness and Sincerity of this Answer; it is so free from Disguise, there is in it such solid Reasoning, so much good Sense, such a force of Truth, that a Man must be a very ill Judge, or have no very honest Mind, that can't see, or will not own, that the Integrity and Honour of the Allies is abundantly justify'd and clear'd from the false Aspersions which the *French* Letter wou'd throw upon them; and that the ill Success of these Negotiations was entirely owing to those who wou'd cast the blame of the Rupture upon them; it being exceeding plain, that the *French* King put it out of the Power of the Allies to make a general Peace, by refusing to give them *Spain* and the *Indies*, without which a good Peace would never be made, or the End for which we went into the War tolerably answer'd: And the more this Affair was examin'd into, the more they would be convinc'd of the Insincerity of the *French*, and the Necessity the Allies were under to act as they did.

Reflections upon this Answer,

First, (says my Author) 'Tis indisputably true and confess'd on all hands, that the Restitution of *Spain* and the *Indies*, whatever became of the rest of the Monarchy, was promis'd from the very first; they did not pretend to desire so much as one single Conference for Peace on any other Terms.

Now, if the King cou'd do what he promis'd, what becomes of the pretended Impossibility? And if he cou'd not, what cou'd he mean by such a Promise, but to amuse and deceive? But if he design'd that, then it undeniably follows, all these Negotiations on his part have been one continued Cheat from the Beginning to the End; All the Expedients he propos'd were so many Shams, and had no other meaning in them but to gain Time, quiet his People, and sow Jealousies among the Allies, and defeat (if possible) by a Treaty those he can't defeat by his Arms. What else cou'd he mean by proposing a Partition as an Expedient, and yet refusing to let it have

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the Effect of one? To ask the States to consent to a Partition, and not suffer them to ask for what, is a little too barefac'd. Could they think the *Dutch* would consent to this Expedient for the sake of a general Peace, without being sure a general Peace would be purchas'd by it? I scarce believe they expected that of them; but nevertheless hop'd, they shou'd gain their Ends by it; and that the very hearkning to the Proposal of a Partition wou'd create Jealousies, and divide the Allies, in which they did not judge very ill.

The Em-
peror and
K. Charles
the III.
alarm'd
at the
Conferen-
ces.

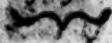
For the Conferences upon this foot very much alarm'd the Ministers of the Emperor and King *Charles*, who were utterly averse to a Partition of any kind; and it was with great difficulty they were prevail'd with to consent to let the Conferences with the Ministers of *France* be manag'd by the Deputies of the States, without their being themselves present at them; which would have rendred the Negotiations for a general Peace much more difficult than they were, tho' *France* had been in earnest for it. And this was all *France* aim'd at by proposing a Partition; some of the Allies, they knew, wou'd be extreamly against it, while the States, they hop'd, wou'd, for so desirable an End, be willing enough to come into it; and this Difference they promis'd themselves much from: But for fear this Difficulty shou'd be overcome, and the Allies shou'd take them at their Word, and accept some of the Expedients offer'd, they had another Réserve behind, by which they cou'd at any time confound all that had been done, and had great Hopes, at the same time, that the Alliance might be broke by it. And that was this; They pretended they cou'd not execute any part of the Preliminaries, unless the Allies wou'd oblige themselves not to make any farther Demand, than what were already contain'd in those Articles, or that they shou'd be now declar'd; which is contrary to the 32d Article, in which there is a Power expressly reserv'd for the Empire, the four Associated Circles, the Kings of *Portugal* and *Prussia*, and the Duke of *Savoy*, to make what further Demands they shall find reasonable. This the *French* insisted on, for no other Reason, but because they knew 'twas impossible for the Allies in Justice to comply with it, unless the respective Powers above-nam'd had had Ministers at the *Hague* with full Instructions from each of them; which they knew they neither had, nor cou'd have without losing a great deal of time: Besides, this Demand of the *French* was contrary not only to the express Terms of the Preliminaries, but to the very Nature of them; for if nothing

was to be left to be adjusted at a general Treaty, how does a Preliminary Treaty differ from it? But it was very much for the Purpose of the *French*, who meant nothing but to amuse the Allies and make mischief, to insist on it; which accordingly they did, being sure which-ever part the Allies took, they should find their Account in it. For if the Allies would not agree to this Demand, then there was always a Handle ready to break off the Treaty upon; as long as further Demands may be made upon them, they can't be sure any Concessions will procure a lasting Peace, and they shall be in danger of having the War renewed upon them, after all they shall have done to put an end to it. And this is very plausible and specious; but, as I shall shew you by and by, has at the bottom nothing at all in it.

But if the Allies had comply'd with this Demand, and declar'd no further Demands should be insisted on, what a fine Game would the *French* have had! They had nothing else to do to break the Alliance, but to represent to some of these Members of it, how their Interests were neglected, and what poor Terms the Maritime Powers and the Emperor have made for them. You see, Gentlemen, the utmost your Allies ask for you; you see the whole you are to expect from them; these are the Terms they have made for you, and they have promis'd to oblige you to acquiesce in them: Are these Allies worth adhering to? Come over to the Interest of the King, and support his first Pretensions, and you will find both him and his Grandson more grateful; you shall have this, and that, and t'other good thing, this Town, that Principality, so much Money, such a valuable Match, in short, Terms infinitely more advantageous to your Masters, and the Interest of their Families, than any thing the Allies will do for you. This Artifice the *French* found the good Effects of the last War, and their Fingers itch to be again at it; for this was the way they drew off a certain Prince then, which was the ruin of that Confederacy; after their Emisaries had been for some time in *Holland* proposing underhand Terms of Peace, and endeavouring to find what Articles the Principal Allies would be content with for the rest; when they had learnt this, the Use they made of it, was to seduce one of them, by offering much better Terms than had been ask'd for him: The Bait took, and 'twas agreed to leave the Side he thought himself ill us'd by; nothing remain'd but to contrive how this might be done most decently: The way agreed on was, to invade his Country with a great Army, and lay Siege to his Capital. What could

Artifice
of France.

July.



the unhappy Prince do in these Circumstances? he is in the utmost Danger, his Allies neither do nor can support him; there is no Safety for him but in a Peace. Thus a Member was brought off from the last Confederacy; and the same Play they want to be again at.

Tempt the
D. of Savoy
in vain.

This is so certain, that we are sure they were trying this very trick with the same Prince. While the Marquis de Torcy made at the *Hague* such mighty Difficulties in complying with the Terms demanded for the Duke of *Savoy*, whom he pretended his Master had great Reason to be dissatisfy'd with, this false perfidious Court was at that very time tempting him with better Offers at *Turin*; but that Prince understood his Interests too well to hearken again to them: And so we conclude the Negotiations, and proceed to the farther Operations of War on this side *Europe*, before we pass into the other parts thereof.

Army en-
camps at
Vimy, 11.

Having concluded the Affairs of the Field in the *Netherlands*, with the Reduction of *Doway* by the Arms of the High Allies: As soon as the Trenches and other Works before the Place were levelled, and the Breaches repaired, the grand Army being joyned by several Detachments, on the 11th reach'd *Vimy*, where they halted for the Baggage and Bread-Waggons, whose March had been retarded by the Badness of the Roads, by reason of the Rains that fell for several Days: The Camp of the Allies extended from the Right upon the Source of the *Lave* to the Left upon the *Lens*, with the *Scarpe* before them, their Situation being such, that they could make Excursions from the *Boulonnais* into *Picardy*: The Marechal de *Villars* also on his part being reinforc'd with several Detachments and neighbouring Garrisons, encamp'd behind the new Lines from *Arras* along the *Crinthon*, towards *Miramon*; so that the Confederate Generals finding it impracticable either to attack them or invest *Arras*, made Dispositions for the Siege of *Bethune*. On the 15th Twenty-five Batallions and Eighteen Squadrons invested the place: There were two Attacks, one commanded by General *Schuylenburgh*, General of the *Saxons*, and the other by the Baron de *Fagel*, General of the Dutch Infantry; and the Cavalry under them was commanded by Lieutenant-General *Wood*. The Trenches were open'd the 23d at Night, and the Works considerably advanc'd without any loss. The 24th the Garrison made a vigorous Salley, which occasion'd a sharp Dispute, in which about 100 Men on each side was kill'd, and a great many wounded: But the Allies not recovering their Artillery till towards the beginning of *August*,

Siege of
Bethune
form'd,
15.

we shall then hear more of this important Siege. In the mean time take a Description of the Place from a young Nobleman, who was in it in the Spring.

It's the Metropolis of a County of that Name, and in the same Province with that of *Cambrai*: Having been taken by the *French*, from the *Spaniards*, in 1645, it's vastly strong, the Works are in extraordinary Repair, and gave him such surprizing Ideas of the great Loss of *France* in the Death of *M. Vauban*, who drew the Plan of it, that he could not but pass away a melancholy Thought upon Mortality, and regret the short duration of Inventers of Arts and Sciences, when the Works that are done by them are of so long continuance. To say all in a word; nothing that he had ever seen (and he had been at *Charleroy* and *Landau*, two Masterpieces of that great Man) could go beyond it in Regularity. The Place is almost surrounded by the River *Bienes*; and, by reason of the Inundations, which would take up much Time in draining by Coupures, no way to be attack'd, but at the Gates of *Aire* and *St. Pol*.

Bethune
describ'd.

We have at present no further Occasion to tarry in these parts. It's true, the French Army was in motion on the 31st, and march'd actually toward *Avesne le Comte*, upon which our Generals recall'd all their Detachments, as also 12 Battallions and 10 Squadrons from the Siege, but the *Intrepid Villars* (as the French call him) did not think fit, after all, to hazard a Battle: And so we leave him.

Our Enemies the French Councils love always to fish in Troubled Waters; they had entertain'd, especially of late, great Hopes that the Quarrel between the Northern Crowns would introduce the War into *Germany*; wherein they have been happily prevented, since all the Parties concern'd agreed at last to the Neutrality concerted at the *Hague* on the 31st of March last: This was a very material Point, gain'd by the Allies; and the Czar of *Muscovy*'s Ambassador *M. de Mazueof*, on the 3d instant, at the *Hague*, gave in a Declaration relating to that Neutrality.

About this time there appear'd also a Declaration of the Envoy of *Sweden*, by way of Remarks on the Neutrality, but being without a Date, 'tis necessary to observe, that by the Course of the Advices from the *Hague*, it appear'd to have been presented after the King of *Denmark* had notified by his Ministers his Exceptions to the Neutrality, or *Explanatory Points*.

The Declaration afore-mention'd of the *Swedes* being not positive, and importing some Conditions which would

July.

would have admitted great Difficulties, that Crown was earnestly solicited by the High Allies to give their Consent to the Act of *Neutrality* in general, without any Exception, which they did at last by their Envoy at the *Hague*.

The Transactions between *Denmark* and *Sweden*, since the Miscarriage of the *Danes* in *Schonen*, have been so inconsiderable, that we shall content our selves to observe, That their Fleets have been at Sea without meeting one another, and the *Danes* not thinking themselves able to return, or at least maintain themselves in *Schonen*, without the Assistance of a Body of *Muscovite* Troops, the Czar had order'd 8000 Men to hold themselves in a readiness to embark for *Denmark*, but this Treaty has not yet taken effect.

As for the King of *Sweden*, he was still at *Bender*, while the Troops of the Czar were making new Conquests in *Finland* and *Livonia*, by the reduction of *Wybourg* in the former, and the important Town of *Riga* in the latter.

Wybourg
surrendr'd
to the
Muscovite.

While the Troops of the K^t of *Poland* were watching the *Swedish* Troops in *Pomerania*, the Governour of *Wybourg* had obtain'd to march out with Arms and Baggage, but Count *Apraxin*, who commands the *Muscovite* Army, caus'd him and his Garrison to be detain'd Prisoners of War, as a Reprizal for several Practices of the *Swedes*, contrary to the Laws of Nations and the Use of War. That General publish'd a sort of *Manifesto*, containing the Reasons which induced him to this seeming Breach of a Capitulation, which consisted in 3 Articles. 1. That a *Muscovite* Ship being sent to *Sweden* with a Flag of Truce, as it had been often practis'd in the like Cases, had been detain'd contrary to all manner of Justice. 2. Because the Resident of the Czar, who was at *Stockholm* in the beginning of the War, had been detain'd, and had his Effects confiscated, though the *Swedish* Minister residing at *Moscow* was sent back to *Sweden* without any manner of Molestation. 3dly, Because the Subjects of his Czariash Majesty, who were come into *Sweden* in Times of Peace, to carry on a Trade beneficial to both Nations, were detain'd upon the beginning of the War, and had their Effects confiscated. And as for a List of the Garrison and Inventories of Stores, see below *.

* A List of the Superior and Inferior Officers, and others, who compos'd the Garrison of *Wybourg*.

1 Commandant, 1 Auditor, 1 Commissary of War, 2 Commissaries of Provisions, 3 Secretaries, 1 Judge-Advocate, 1 Cashier, 947 Superior and Inferior Officers, &c. and 2227 Soldiers; in all 2733. Besides 1 Commandant sick, 139 Superior and Inferior Officers, &c. sick or wounded, 959 Soldiers sick, and 28 wounded. Together, 1127 sick and wounded.

An

*An INVENTORY of the Artillery, Arms and
Ammunition found in Wybourg.*

Eight Mortars for Bombs, from 40 to 80 pound weight; two Hauwitzers of 16 Pounders; three Brass Cannon of nine Pound Ball, and 95 of Iron, of from three Pound to 24 Pound Ball; 8644 Grenadoes, from three Pound to 30; 7540 Bullets, from three to 40 Pound; 1816 Cartridges, from three to 24 Pound; 638 Quintals of Powder, 16 of Brimstone and Salt-Petre, three of Match, and two of Copper; 1660 new Musquets, and 1950 us'd; 1700 new Carbines, 189 damag'd, &c. There were likewise found in the Town 58 Colours and one Standard.

The Garrison of *Riga* had a better Fate than that of *Wybourg*, as we may see by the following Account.

On the 10th Instant, when the *Muscovite* General Officers were at Dinner with Field-Marshal General *Schermeroff*, Count *Stromberg*, the *Swedish* Governour sent out one to notifie, that he desir'd to Capitulate, and would send out Deputies for that purpose. The 11th, the Field-Marshal sent into the Town for *Hostages* two Colonels and an Auditor; and his Coaches brought back to the Camp the *Hostages* from the Town, in Number 11, viz. 2 Colonels, 2 Assessors of the High Court of Justice, 2 Deputies from the Noblesse, 2 from the Magistracy, 2 from the Burghers, and 1 Auditor; Being brought into the Presence of the Field-Marshal, they made a Speech to him; and he nominated 2 Colonels and 1 Auditor to treat with them; They delivered about 65 Articles, upon which his Excellency having deliberated with the other Generals, sent them back into the Town the 12th, with his Resolution by the *Swedish* Auditor, who was order'd to return at Nine the next Morning with that of Count *Stromberg*. The Auditor return'd at the Time limited, but 'twas only to desire some Delay for the Governour; which being refus'd, the Governour at length sent out his Resolutions in the Afternoon; and the whole was agreed, sign'd and exchange'd. By Virtue of the Capitulation the Garrison was to be conducted to *Revel*, thence to be transported to *Stockholm*. But of this Particular you may hear more in another place.

The *Besiegers* Bombs had done great Damage to the Place; but what forc'd the Governour to surrender, was

*Riga sur-
rendered to
the Muscovites, 10.*

July.

Famine, which was so great, that at least One hundred Men a Day of the Garrison died during the last Days of the Siege; and of above Ten thousand Men, of which the Garrison consisted when the Place was first invested, no more than 1800 were left able to bear Arms. This done, General *Baur* formally invested the Town of *Pernau* with a Body of Troops, and which with the Reduction of *Revel*, compleated the Conquest of *Livonia*, only *Duna-münder-Schans* had not yet surrendered to the *Muscovites*.

New
Grand Vi-
sier made.

Character.

If you look into the State of *Turkey*, you will find there had been a very powerful Faction form'd for some time at *Constantinople*, against *Ali Basban*, the Visier *Azem*, who was at length depos'd on the 4th of this Month, and the Seals given to *Numan Basba*, the eldest of the House of *Kupriogli*, or *Kuperli*, of which Family there had been three Prime Visiers before, two of which (viz. Father and Son) succeeded one another, in the Reign of *Mahumet IV*, a Practise never known before in the Ottoman Empire, and both of 'em dy'd in their Places. The Character given this Man upon his Promotion was this; That he is a Person very much fam'd for Justice and Integrity, and so highly esteem'd by the People, that his Promotion to that great Office caus'd an universal Joy: That he is very learned in the Laws of his Country, and as religious an Observer of 'em: That he has been long remarkable for a Curiosity to be inform'd of the Situation of foreign Countries, and the Interest of their Governments, by which means he is well acquainted with the true Advantages of other Nations, as well as with the Interest of the Ottoman Empire, of which he is a zealous Promoter: That it was generally believ'd he would favour the *Swedish* Interest, and yet it was doubtful, whether he would endeavour to alter the Measures lately taken by the *Muscovites*. But those *Elogiums* on *Kuperli* did not last long; for his Disgrace, which hapned on the 17th of *August*, being more sudden than his Advancement, his Character was quite inverted; so that we may say of him as was said of *Sejanus* of old, in *Juvonal*, Sat. x.

Sed Quid

*Turba tremens? Sequitur fortunam, ut semper, & odit
Damnatus*

I wish we may not have too much Reason to say the same at Home.

The Affairs of *Italy* are not considerable enough to require our passage thither; however, we are to observe, that the Confederate Troops in *Piedmont* were in motion,

July.

C. Thaun
takes Ar-
ches, 23.

tion, under the Command of the Field-Marshal Count *Thaun*, who having receiv'd some Artillery in his Camp of *Maisonmeane*, rais'd a Battery against the Redoubt and Intrenchments the Enemy had made at *Arches*, which had so good an effect, that in the Night between the 22d and 23d, the Troops posted there, consisting of 6 Officers, some Sergeants, and 87 private Men, surrender'd Prisoners of War. The Velt-Mareschal sent immediately a Detachment to attack another Redoubt at *Meironnes*, wherein the Enemy had 150 Men, who abandon'd the same upon the approach of the Allies, with so much precipitation, that they left part of their Arms behind. The Army encamp'd the 23d, between *Arches* and *Meironnes*, and the Velt-Mareschal, attended with most of the Generals, went to take a view of the intrenched Camp of the Enemy at *Tournes*, but found it so well fortified, that it was not thought fit to attack 'em in that advantageous Post, and therefore the 24th the Army march'd towards *St. Paul* and the *Col de Vars*, leaving only 6 Battallions and 300 Horse at *Arches*, under the Command of Lieutenant-General *Schuylenburgh*, as well to secure that important Pass, and thereby secure their Communication with *Piémont*, as to alarm the Enemy on the side of *Gleysoles*.

There being nothing more of moment done on this side, we shall for the present entertain the Reader with an Account of the Descent made by the Allies in *Languedoc*, as the French were pleas'd to relate it, viz. That on the 23d, about 26 large Men of War appear'd off *Ma-guelone*, and some of their Men coming ashore in their Boats, plunder'd that part of the Coast of the Corn and Cattle. From thence the same Ships went before the Harbour of *Cette*, and in the Night set a good number of Men ashore, at the Old Mole behind the Mountain on the side of *Agde*. At Day-break those Men appear'd on the Mountain, and march'd down to the Port when the People were at Mass: After some firing, they made themselves Masters of the place, notwithstanding the Garrison of the Fort, commanded by *M. de Monsbazon*, made some Resistance. In the mean time most of the Inhabitants fled towards *Mezé* and *Bouguize*. The Enemy granted the Commandant a sort of Capitulation, viz. That he himself, with his Sword and a pair of Pistols, but the Garrison without any Arms, should march out, as also such of the Inhabitants as were willing; but that those who would stay, should not have the least Injury offer'd them. That some of the Troops went to *Agde*, whence they carry'd off the Major and Con-

The Allies
Descent at
Cette, 23.

July.

Consuls, as Hostages for 150000 Livres, which they demanded for Contribution. That thereupon the Duke de Roquelaure, and the Intendant M. de Baille posted some Men at *Frontignac* and *la Pegrade*, to hinder their advancing up into the Country. And they likewise dispatch'd divers Expresses for Troops. In the mean time the Enemy have begun an Intrinchment from the Sea to the *Strang* near *Agde*, that they may keep their Ground against any Land Forces.

The Allies were at first extreamly uppish upon the News of this Descent, and entertained great hopes of opening a Communication with the *Cevennols*, and so to give *France* such a mortal Blow, as to oblige Her to just Terms of Peace: But they were soon undeceived by the next News from *France*, Printed there by Authority, which yet look'd so Romantick, that scarce any Credit would be given to it: However, we are bound to relate it in these Words: That the Duke of Roquelaure, who had but three Troops of Horse with him, having on the 24th provided for the Security of *Frontignac*, went to *Metz*, upon the Pond of *Thau*, where he plac'd Militia, to hinder the Descent which the Enemy might have made on that side by Favour of the Pond. At the same time he dispatch'd a Courier to the Duke de Noailles, whom he found encamp'd at *Boulou*, six Leagues beyond *Perpignan*. Nevertheless, he rode Post, and arriv'd the 26th at *Agde*, causing himself to be follow'd by 900 Horse, Commanded by the Marquis de Cayla, Major-General; and by 1000 Grenadiers, Commanded by the Sieur de Planque, Brigadier, follow'd by the Sieurs de Chastillon and d'Estaires, Majors-General; d'Osserville and Sandricourt, Brigadiers; the Sieur Borselli, the Count de Noailles, and the Marquis de Noailles, Colonels; with thirteen Pieces of Cannon, four of which were 24 Pounders. These Troops made so great haste, that they arriv'd the 28th. After having given them 4 or 5 hours Rest, the Duke de Roquelaure and the Duke de Noailles caus'd them to march the 29th towards the Enemy, who, upon their Approach, left the Neighbourhood of *Agde*, and retir'd to *Cette*, where they began to re-embark. They were pursu'd along the Shoar, notwithstanding the great Fire of the Ships, which shot to no manner of purpose. Coasting along the Mountain of *St. Clair*, they perceiv'd at the top, Six Hundred Men, who were so vigorously attack'd by the Dragoons, that some of 'em being kill'd, two Officers and eighty Soldiers were taken Prisoners; the rest were push'd quite to the Sea, where several were drown'd, and the others escap'd to the

French
Account
of Expel-
ling the
Confede-
rates from
Langue-
doc. 29.

July.

the Fort that is at the end of the Mole, from which the Enemy made a great Fire. They were supported by the Cannon of a Frigate which lay in the Harbour cross-ways, and by several Men of War. The Artillery being come up, three Batteries were erected; and after having made some Discharges, which drove the Frigate out of the Harbour, the Grenadiers commanded by the Sieur d'Au^t, Captain in the Regiment of Artois, and supported by the Sieur Plangu, advanc'd along the Mole, and scal'd the Fort, where they made two Officers and seventy Soldiers Prisoners. They afterwards carry'd forward one of the Batteries to the end of the Village, which obliged the Enemy to put off, and on the 4th they sail'd towards the Levant. The French, they said, lost on this Occasion but one Grenadier, who was kill'd by Chance with his own Musquet.

The French having told us their Story, you shall now hear what the Confederates had to say for themselves; they were pleas'd to inform us, That the Confederate Fleet being at Barcelona, a great Council of War was held, wherein it was agreed, that in order to give a Diversion to the Enemy in Catalonia, the Fleet should take some Land-Forces on Board, and endeavour to make a Descent on the Coast of Languedoc, in hopes likewise that this Attempt might encourage an Insurrection of the Camisars. According to that Resolution, those Forces being embarked, with a great quantity of Arms and Ammunition to be distributed to the Camisars, in case they should be disposed to rise, the Fleet sail'd the 20th of July for the Gulph of Narbonne, and the 24th we came before the Port of Cette, and Landed the same Night at the Old Mole, without any Opposition, 700 Men, besides some Marines, all under the Command of Major-General Seissan. The 25th, at break of Day, they made themselves Masters of the Town of Cette, and the Fort on the Mole, and having left a sufficient number of Troops for securing the same, the Troops march'd the same Day to Agde, which surrender'd in the Night between the 25th and 26th. The 27th Major-General Seissan receiv'd Advice, that the Duke of Roquelaure with 400 Dragoons and 2000 Men of the Militia, was marching with a Design to ford the Etang or Lake, and retake Possession of Cette; whereupon he thought fit to leave 140 Men to secure the Bridge of Agde, and with the rest of the Forces march'd to oppose the Enemy, writing at the same time to the Admirals Norris and Sommelsdyke, to desire them to send all the Boats of the Fleet with as many Men as they could spare, into the

Etang

The Confederates
Account
of the Descent
at Cette.

July. *Etang* or Lake, to attack the Enemy in their Passage through the same, which was done accordingly.

The Duke of *Roquelaure* seeing his Design prevented by these Precautions, return'd to *Metz*, and the Admirals and General detach'd a Major with 150 Men, to reinforce the Detachment left to secure the Bridge at *Agde*, but at the same time Advice came, that that important Post had been abandon'd upon a false Alarm.

Nevertheless, it was resolv'd to prevent the Enemy and to return to *Agde*, with Shalloops, by Sea, in order to regain that Post: But the very Moment that this was going to be executed, a strong Wind happen'd to come quite contrary, which oblig'd them to abandon that Design, and take care to secure *Cette*. In short, the Duke de *Noailles* arriv'd at *Agde* the same Day that they were to return thither. They began, therefore, to think of the Defence of the Mountain of *Cette*, and posted there the few Troops they had, in the Vineyards surrounded with a slight Wall, but with Orders to retire before the Arrival of the Enemy. The Officer, who commanded 50 Men, did not rightly apprehend this Order, or else he was surpriz'd; for scarce had 50 French Dragoons fir'd upon our Men, but they surrendr'd to 'em at Discretion. The other Troops tetir'd in Disorder, tho' the necessary Dispositions had been made to support them in their Retreat, and tho' several Officers did all that could be expected from their Courage and Experience to rally the Troops. While these were re-embarking, the 28th, a Captain was left in the Fort, with 50 Men, to guard the same. It is not accessible but on the side of the Mole, and is defended by two Pieces of Cannon in the Place that leads to it. Moreover, the Enemy had no Boats. The Shalloops were just by the Fort the whole Morning; but Admiral *Norris* was no sooner put off, to go on board his Ship, but the Enemy sent word to the Captain, That if he would not surrender the Fort, he must expect no Quarter: Whereupon the Officer let down the Bridge, and surrendr'd at Discretion, even before the Troops were reimbarc'd. The Duke de *Roquelaure* sent them back the Captain who had so ill defended the Fort, in exchange for a *Burgher* who had been releas'd before; but the Captain was set on shoar again, and told, That since he had been so complaisant to Monsieur de *Roquelaure*, as to deliver up the Fort to him, it was but reasonable he should be near the Duke's Person, and treated according to his Merit. Thus was the Design of *Monf. de Seissan*, a Major-General and a Native of *Languedoc*, frustrated: And tho' it could not be affirm'd, that

that the Enemy, who had Re-inforcements coming from *Dauphiné* and *Roussillon*, could not have forced the Allies, yet 'tis certain, that they might have maintain'd those advantageous Posts a long while against a great number of French. We were but a League from *Montpellier*, and the *Cevennes* were but 15 Leagues from that Place. The Fleet on the 30th sail'd from the Coasts of *Languedoc*, and took, on the 4th instant, off of the Isles of *Hieres*, a French Man of War of 50 Guns, from *Scanderbon*; and on the 31st three Frigates were detach'd to convoy to *Barcelona*. and Port *Mabon* the Land-Forces which had been employ'd in this Expedition.

Having done with this *Languedoc* Expedition, we come next to the French and Spanish Affairs; there having happen'd a considerable Action in this Month at *Almenara*, between the two Kings Armies, which the French disguis'd in this manner:

French
Account
of the
fight of
Almenara;

King *Philip* having resolv'd to pass the *Segra* at *Lerida*, to take Possession of the Country of *Ribagorza*, whence the Enemy drew their Provisions, and to succour the Castle of *Arens*, which the Enemy had block'd up anew, caus'd the Troops to march the 26th. The three first Hours of the March was towards the Enemy, who had been re-inforc'd by the Troops which the English and Dutch Fleet had landed at *Terragona*, and by some others from the side of *Roussillon*: Yet they did not make any Motion, nor did a Man of them stir out of their Intrenchments. That Night the King lay at *Lerida*, and gave Order for a Detachment of Twelve Regiments, commanded by *M: de Verboom*, to advance to secure the Passage of the *Noguera*. The Army march'd the 27th at Eleven in the Morning, and about Three in the Afternoon the King set out from *Lerida* to follow them. He had not gone above a League when Intelligence was brought him, That the Enemy had passed the *Segra* at *Balaguer*, and the *Noguera* at *Alfarraz*, before his Detachment could get thither, and that they possess'd themselves of the rising Grounds of *Almenara*. Upon this Intelligence, the King follow'd by his Life-Guards, put on. About seven in the Evening, the Enemy seeing there were only some Regiments to make head against them, attack'd the first Line; but were repuls'd with sufficient Loss. Some other Squadrons having in the mean time attack'd in Flank the second Line of the Spanish Horse, had some Advantage, and part of those Horse retir'd in Disorder; but the Foot maintain'd their Ground, making a great Fire upon the Enemy. At that time the King arriv'd with his Guards; and having rallied his Cavalry, charg'd and

July.

broke the Enemy, who fearing they should draw the whole Army on themselves, drew off about Ten at Night towards *Tamarit*, on the Road to *Monson*, and the King went to rejoin his Army. On this Occasion we had about 400 Men kill'd, wounded, or made Prisoners, viz. 300 Foot and 150 Horse. The *Marquels de Ginorala*, and *Don Juan de Figueroa* were kill'd, and some Officers of Horse. *Monf. de Verboom* was made Prisoner and slightly wounded. 'Twas affirm'd the Enemy had 700 Men kill'd, with 50 Officers; among others, a Count of *Nassau*, the Earl of *Rochefort*, and General *Stanhope* wounded, and that they had above four hundred wounded; we took from them three Standards and divers Prisoners. This done, the King had caus'd his Army to encamp with the Left at *Alcarrez* and the Right towards *Lerida*, waiting the Return of 5000 Men, which had been detach'd on several Parties.

Remarks
on the Af-
fairs of
Spain.

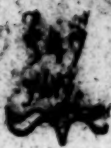
Having thus briefly insert'd the Enemies Account, we shall first, before we come to the particulars deliver'd by the Allies, observe in the words of an ingenious Author, That the Face of Affairs was happily changed in Spain; for when the People begun to despair that King *Charles* should be able to maintain himself in *Catalonia*, being attack'd on the side of *Arragon* and *Roussillon* with two powerful Armies, God Blessed him with a Victory at *Almenara*. But before we proceed further, it is necessary to observe, That the Expedition against the Port of *Cone* must be look'd upon as the Cause of all the Advantages obtain'd by the King of Spain; for had not the Descent made on the Coast of *Languedoc* oblig'd the Duke of *Noailles* to march with all speed to the Defence of that Province, it would not have been proper to recall from the *Lampourdan* 5000 Men, and consequently the King of Spain would not have been able to fight his Enemy.

Having premised thus much, we shall proceed to the following Relations, the first by Colonel *Crofts* to the Queen of Great Britain, from General *Stanhope*; and the second is an Abstract of a Letter from a British General, who having shared the Danger with Mr. *Stanhope*, ought to have a share in the Glory of the Victory.

Colonel
Crofts his
Account
of the
Fight at
Almenara.
26.

On the 25th, His Catholick Majesty having received Advice, That the Baron *de Weizel*, a Lieutenant-General in the Service of His Imperial Majesty, was advanc'd as far as *Camarasi*, three Leagues distant from *Balaguer*, with Reinforcements drawn from the *Lampourdan*, and the Troops lately transported from *Italy*, sent him Orders to pursue his march the next Morning, and to join the Army. On the 26th some of his Parties that were

on



on the Patrole, sent Intelligence as soon as it was light, that they observed a great Fire in the Enemy's Camp, and at Sun-setting they were informed, that they were marching in three Columns towards *Salamanca*; whereupon several Parties of *Hussars* and other Detachments were sent out to observe the Enemy, and attend their march. The same Morning the Army decamp'd by the dawn of the Day, passed the River *Saga*, and took Post in the new Camp that was marked out before *Salamanca*, near the Bridge of that City. General *Weydel* joined the Army before Noon, and all the Detachments returned to the Camp. After which, His Catholick Majesty being advised by his Parties, by Prisoners, Defectors and Spies, that the Enemy had pitched their Tents in the Neighbouring Gardens of *Larida*, immediately held a Council of War; and after all the Generals of the Allies had given their Opinions, he ordered the whole to strike their Tents at Sun-set, and be in a Readiness to march; accordingly the Army decamp'd that Evening, passed over the Bridge of *Salamanca*, and took the Road towards *Alfara*, situated on the other side of the *Nogura*, five Leagues distant from *Salamanca*.

For the Execution of the projected Design, Lieutenant-General *Stanhope* was commanded to advance with the utmost Expedition, having Orders to lay a Bridge over the *Nogura*, to secure the Passes near *Alfara*, and prevent the march of the Enemy. For this Service, he had under his Command Major-General *Pope*, with four Regiments of Dragoons belonging to the Left Wing, two of which were *English*, and two *Dutch*; viz. One Regiment of Guards, and those of *Pope*, *Morda* and *Schlippenbach*; and also Count *A' Eck*, Major-General of the Infantry, in the Service of the Emperor, with twenty Companies of Grenadiers, six Pieces of Cannon, and the necessary Pontons. This Disposition being made for the march, those Forces were immediately followed by the whole Army. The Foot march'd in Front, filing off from the Left, till both Lines had passed the River, who were follow'd by the Infantry on the Right; the Remainder of the Horse of the Left moving after the Foot of the same Wing. The Artillery march'd after the Horse of the Left. The Cavalry of the Right Wing brought up the Rear. The whole Army was obliged to pass the River over the Stone-bridge of *Salamanca*, the *Sagra* not being fordable, and the Pontons being sent before; but these Difficulties were surmounted by the Diligence of the Officers, and the Ardour of the Troops; for before eight in the Morning of the 27th, the whole

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Army had pass'd a single Bridge. As they were to take the Rout through the *Sarjana*, they were oblig'd to march over another single Bridge, which was executed in the same Order, and with equal Expedition. On the other side of that Bridge they halted two Hours on the Banks of the River, as well to refresh the Troops, as to give the Horse time to come up, that they might march in the Front.

The Cavalry having pass'd the *Sarjana*, advanced in two Columns towards *Alfara*, being follow'd in two other Columns by the Infantry. Near *Algori*, within a League of *Alfara*, they received Advice from General *Stanhope*, That he had not only pass'd the *Noguera* with the Detachment under his Command, and possess'd himself of the most advantageous Situation near *Alfara*, but that he had also laid a Bridge over the River. At the same time he advis'd, That the Waters were so low that the Cavalry and Artillery might pass thro' the River it self; adding, That if it should be thought necessary, it was fordable even by the Infantry. General *Stanhope* also acquainted them, That he had then no Intelligence of the Enemy; but within half an hour he dispatch'd an Officer to inform them, That his advanced Guards had discover'd nineteen of the Enemy's Squadrons, and some Infantry, marching towards *Almenara*, and a Cloud of Dust rising behind them, upon which he had possess'd himself of the rising Ground on that side; and at the same time the Front of our Cavalry had pass'd the *Noguera*. While the Army was advancing, the Enemy began to form themselves near *Almenara*, being two Brigades of Foot, besides the nineteen Squadrons. According to the Account given by the Prisoners, those Troops were detach'd the Night before, to take Possession of those Passes, and to prevent the Allies march; but that Design being frustrated by the Diligence of General *Stanhope*, they resolv'd to maintain themselves in the Posts they had taken near *Almenara*, until their whole Army came up, which was marching in two Columns to sustain them; They advanced with the greatest Diligence; but our Forces having entirely pass'd the *Noguera* before Six in the Evening, had the Advantage to prevent the Enemy; for though they had formed the whole Body of their Horse in two Lines, and were supported by eight or ten Battalions, yet the rest of their Infantry was still on the march in two Lines. Notwithstanding the Allies Situation was such, that they could not extend their Forces, but were oblig'd to form the two Wings of their Cavalry one behind ano-

another, and to divide each into two Lines, so that the whole consisted of four; and the ~~Advancing~~ made the advanced Guard, as being first come up, and that they could only draw up their Infantry in four Lines behind each other; yet His Catholick Majesty took a Resolution to attack the Enemy immediately for these Reasons: first, Because it being then Seven in the Evening, he supposed they would take the Advantage of the Night to remove to a stronger Camp, or retire: And secondly, he observed, that the Enemy were discouraged because of their ill Situation; for which end, that he might take the Advantage of these happy Conjunctions, he commanded a Battery of fourteen Pieces of Cannon to be erected on an Eminence, which commanded that where the Enemy were posted.

The Majors-General *Franckenberg* and *Pepper* began the Attack with such Resolution and Bravery, that the whole Cavalry of the Enemy was routed even before his Assaults could be joyned by the Right Wing: Though they pushed on with the highest Warmth, and expressed an ardent Desire to joyn in the Battle, only a few Regiments of it commanded by the Count *d'Alaya* were so fortunate as to share in the Glory of this Action. The first Line of the Enemy made very little Resistance, excepting some particular Regiments, which behaved themselves with great Bravery. The Confederate Infantry came on with great Intrepidity; but tho' they pursued the Enemy two Hours in the Night, till it was so dark, that the Troops could not distinguish the Faces of each other, it was impossible to come up with them.

Although this Action could properly be called an Engagement only of the Horse, yet it was so furious, that not only their whole Cavalry was overthrown and routed with the utmost Confusion, but all the Infantry fled with the same Precipitation: The Foot retired intermingled with their Horse, observing no Order of Retreat, but many throwing down their Arms in their Flight; the Army it self leaving behind their Cannon and Loads of Ammunition, as well as abandoning their Baggage and Equipage to the Peasants: The Advantage obtained seem'd to be of the same Consequence as an entire Victory; which was prevented only by the Darkness of the Night. On the Allies side about Four Hundred Men were killed and wounded; of whom the Regiment of *Joergel* lost fifteen; the English Regiments of *Harvey*, *Rockford*, *Pepper* and *Nussen*, about Two Hundred; the Dutch Regiments of *Martha* and *Schlippenbach*, each fifteen; the Regiment of *Ormborn* Thirty-nine; that of

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Sett, and two other Regiments of *Palamirs*. One Hundred. The Lord *Roßford* and Count *Frank de Nollan* were among the Slain, who being Officers of great Merit and Distinction, their Loss was universally lamented in the Army. On the Enemy's side the Duke of *Savoy*, a Lieutenant-General was found among the Slain, what other considerable Officers were killed they had not yet an Account, but there must be a great number, in regard that the Rout was general. They took Prisoners, Lieutenant-General *Verboom*, Don *Vito Parisio*, Colonel of the Life-Guards, one Lieutenant-Colonel, four Captains, fifteen Lieutenants and Cornets, and three Hundred private Men. The Number of the Prisoners hath been greater, if the Men in the Heat of the Action could have charged themselves with them. The Number of their killed and wounded could not be less than fifteen Hundred. The Allies also took several Cannon, Standards and Kettle-Drums, with a great part of their Baggage, among which was some of the Duke of *Anjou's* Plate. The Regiments on our side that had the greatest Share in this Action, were the *English* Regiments above mentioned, three Regiments of *Palatins*, three *Dutch*, one of *Portuguese*, and three Squadrons of the Regiment of *Boergers*, all which charged and fought with great Bravery and Emulation of each other. His Catholick Majesty by his Presence animated the Troops during the Heat of the Action, and all the Generals in their respective Posts, obey'd his Orders with great Address and Gallantry.

Lieutenant-General Carpenter's Letter about the Fight at Almenara.

Having mention'd a second Letter concerning this great Action, suppos'd to have been writ. by the *English* Lieutenant-General *Carpenter*, the same here follows. I have only Time to tell you, That on Sunday last we obtain'd a Glorious Victory over the Enemy on the Hills near this Town. We had sixteen Squadrons in the first Line, *English*, *Dutch* and *Palamirs*, posted on the same, the Nature of the Ground not permitting to have any more, but being more convenient on the side of the Enemy, they had drawn in good Order 42 Squadrons upon two Lines, with two Battalions between their Lines, and seven more on their Right flank. Lieutenant-General *Stanhope*, who commanded our Horse, charged the Enemy with so much Vigour, that we broke their first Line, and by the breaking thereof, the second and their Foot were put into Disorder, so that all run away together, and we pursued them for an Hour, killing and forcing them down steep Rocky Places, whereby many were killed, and the rest of the Enemy's Foot that were not on the Hills, made

made their escape in Confusion by Favour of the Night, and their Army had continued ever since under the Cannon of *Lerida*. General *Stanhope* charged at the Head of one of *Harvey's* Squadrons, and he and the General who led the Squadron which our General attack'd, meeting exactly, the two Squadrons being close, they had several Cuts at each other, but Mr. *Stanhope* kill'd his Enemy. Lieutenant-General *Carpenter* had his Post in the second Line, but desir'd to Charge in the first with General *Stanhope*, which he approv'd, and they charg'd at the Head of the same Squadron, and both were slightly wounded. Our Troops fought with so much Bravery, that had the Action begun two Hours sooner, as it was desir'd by the English Generals, the Army of the Duke of *Anjou* would have been totally defeated, for nothing but the Darkness of the Night prevented it. The Action begun about 7 at Night, and ended at 9. The Army is to march to morrow towards the River *Cinea*, which we shall pass without any Opposition, for after this Blow the Enemy will not have the Heart to stand before us the rest of the Summer; and so if we have Provisions, and Carriage for the same, we do not question to possess the whole Kingdom of *Araggon*, where the People are so well affected to His Catholick Majesty, that there is no doubt but they will embrace the first Opportunity to return to their Obedience. His Catholick Majesty, and the Velt-Mareschal *Staremborg* have return'd publick Thanks to Lieutenant-General *Stanhope* for his Important Service on this Occasion; for the Victory is certainly owing to his Conduct, Diligence and Bravery. His Majesty has also Complimented Lieutenant-General *Carpenter*, and the other Generals on the Share they had therein, and express'd a grateful Sense of the Bravery the English Troops shew'd in this *Action.

The King of *Spain* was so well pleased with the Bravery the Dutch Troops expressed in this Battel, that he thought fit to dispatch the *Sieur de Belcastel*, (Son to the General of that Name, who commanded in Chief the Dutch Forces in *Spain*) to acquaint Their High Migh-

* English Officers kill'd and wounded in the Battle of *Almenara*:

Kill'd, Earl *Rochefort*, Brigadier; Count *Nassau*, Brigadier; Lieutenant-Colonel *Traver*; Captain *la Porte*, Cornet *Garsin*, Cornet *Webb*, Quarter-Master *Gore*, Private Men 73. Wounded, Lieutenant-General *Stanhope*, Lieutenant-General *Carpenter*, Lieutenant-Colonel *Bland*, Captain *Ravanel*, Captain *Willis*, Captain *Moor*, Captain *Naizon*, Lieutenant *Muelz*, Lieutenant *Paterfson*, Lieutenant *Jobber*, Lieutenant *Hieron*, Lieutenant *Wood*, Cornet *Wildgoose*, Cornet *Ducasses*, Quarter-Master *Smith*. Private Men 113.

August. tinesses with this Victory, and writ to them a Letter on the same Account, which we shall not insert here.

If we have a mind to see the Inactivity of the Portuguese on their side, we shall find the Town of *Majoy Miranda*, a fortified Place on the Frontier of *Tras-os-Montes*, was surrender'd for a Sum of Money to the Enemy, who enter'd into that Province, and laid several Places under Contributions.

Irish Parliament meets 1st.

Let us from hence once more traverse the Ocean into *Ireland*, where the Parliament of that Kingdom met on the 1st, according to the Order of Adjournment on the 24th of *June* last; and adjourned again to the 4th, and on the 9th the House of Commons being inform'd that some Persons disaffected to Her Majesty's Government and the late happy Revolution, had, during the Recess of the House, maliciously defac'd the Statue of King *William* the Third of Glorious Memory, Erected on *College-Green* by the Citizens of *Dublin*, in Memory of the great and happy Deliverance this Nation had by that Glorious Prince from *Popery* and *Arbitrary Power*.

Resolved, That an humble Address of Thanks from this House be made to His Excellency the Lord-Lieutenant, for the Care His Excellency hath taken in issuing a Proclamation to encourage the Discovery of the Persons concern'd in so Infamous and Villanous an Action; and on the 11th, the House with their Speaker attended the Lord-Lieutenant with their said Address of Thanks to His Excellency; which is as followeth.

May it please your Excellency,

Irish Commons Address of Thanks to the Lord-Lieutenant's Proclamation about defacing K. William's Statue.

WE cannot better express the Pleasure we receive from the early Care and Endeavours us'd by your Excellency, to discover and bring to Punishment those insolent Miscreants, who since our late Adjournment have with equal Malice and Baseness insulted and defac'd the Statue of his late Majesty King *William* the Third of glorious Memory, than by owning it in the most publick manner, as an Instance of your Excellency's Gratitude to the Memory of that great Prince, and of your Vigilance and Concern for our Preservation from the Enemies of our Peace and happy Establishment, who envy our late glorious Sovereign the Honour of a Statue, erected as a Testimony how much was owing to our Deliverer from *Popery* and *Slavery*.

His Memory must be ever dear to all Men, except those who desire to bring our Religion, Lives, Liberties, and Properties into the same Dangers again, from which his Courage and Conduct so bravely and seasonably Rescu'd them: And such we unanimously declare all those to be, who on any Pretence
what

whatsoever endeavour to reflect on the Justice of the late happy Revolution, the Memory of GOD's great Instrument in effecting it, or the necessary Means made use of in bringing it about.

Had their impotent Rancour and Malice fully accomplish'd their Design, by entirely demolishing and destroying that Monument of our Gratitude, yet we are perswaded, his glorious Name would always be remembered with Honour, and continued dear to a People deliver'd by him from Popish Superstition and French Slavery, and to whose Reign we are indebted for those inestimable Laws which exclude all Popish Successors, and settle the Crown on our present most gracious Queen and the Heirs of her Body being Protestants, and for want of such Issue, on the most illustrious House of Hanover; so that if we have any true regard for Her Majesty's Title, for our most holy Religion, or for our Civil Liberties, We cannot sufficiently acknowledg your Excellency's generous care to detect so base and barbarous a Fact; nor omit any Opportunity of expressing our Detestation of those whose repeated Indignities offer'd to the Memory of our great Deliverer, are sufficient Indications of their being Enemies to our happy Constitution in Church and State, and of their Affection to the Pretender.

And thereupon His Excellency was pleas'd to return the Answer following.

I Am very well pleas'd that my Endeavours for the Discovery of this Villanous Attempt have been pleasing to you. I had been the most ungrateful of all Men living, had I not done what lay in me to that End; and I am sure that neither you, nor I, nor any good Protestant, can ever do too much to shew the Eternal Value that we retain for the Memory of that great Prince.

Lord Lieutenant's
Answer,

The City of Dublin having caused the Effigies of King William, which was lately villanously defac'd, to be repair'd, and having put a new Truncheon in his Hand in great Solemnity, the 24 Companies of the City attending the same, the House of Commons came the 17th to the following Resolution: Resolv'd Nemine Contradicente, That the Thanks of the House be given to the Lord Mayor, Sheriffs, Commons, and Citizens of the City of Dublin, (who erected the Statue in Honour of King William III. of glorious Memory), for their great Zeal and Care in Repairing that Noble Monument of their Gratitude to our late Deliverer from Popery, Slavery, and French Power, and Supporting the Honour, and Memory of that great Prince in so Solemn a Manner.

Commons
of Dublin
repair
King Wil-
liam's Stat-
ue.

August.

Receive
the Thanks
of the
House of
Commons.

City's An-
swer.

The 18th Mr. Parry reported from the Committee, appointed to attend the Lord Mayor, Sheriffs, Commons, and Citizens of the City of Dublin, with the Thanks of this House, for their great Zeal and Care, in Repairing the Statue of his late Majesty, King William the Third, of glorious Memory, in so solemn and publick a manner, That they had attended the Lord Mayor, Sheriffs, Commons, and Citizens accordingly, and that they were pleased to return the Answer following; 'The great Honour the House of Commons have done this City, in placing so distinguishing a Mark of their Favour on them, for erecting a Statue in Memory of our great Deliverer King William the Third; and for their Zeal in re-adorning the same, will always encourage this City, to Vindicate the Honour of that Glorious Prince, and the late Happy Revolution.

Order'd, That the said Answer be enter'd in the Journal of this House. On the 28th the Lord-Lieutenant went in State to the House of Peers, and gave the Royal Assent to the several Acts following.

An Act for granting to her Majesty an additional Duty on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes.

An Act to Enforce such Acts as have been made for the Improvement of the Linnen Manufacture, and for a further Regulation of the same.

An Act for bringing an Appeal in case of Murder, notwithstanding the Statute of the Tenth of King Henry the Seventh, whereby Murder is made High Treason.

An Act for the farther explaining and putting in Execution an Act for Planting and Preserving Timber-Trees and Woods.

An Act for taking away the Benefit of Clergy in certain Cases, and for taking away the Book in all Cases, and for Repealing part of the Statute for Transporting Felons.

An Act for amending and making Perpetual an Act Entituled, An Act to prevent Butchers from being Gravelers, and to redress several Abuses in buying and selling of Cattle, and in Slaughtering and Packing of Beef, Tallow and Hides.

An Act for the better securing of Rents, and to prevent Frauds committed by Tenants.

An Act for the amending the Highways and Roads in this Kingdom, and for the application of the six Days Labour.

An Act for the Relief of Insolvent Debtors now in Confinement.

An Act to prevent the Maiming of Cattle.

An Act for Uniting several Parishes, and Building several Parish Churches in more convenient Places. As also several private Bills.

Th

August

This day the Lord Lieutenant made this Speech to both Houses of Parliament.

My Lords and Gentlemen,

This Session of Parliament hath been so happily carry'd on, that I am now brought to so good a Conclusion, that the whole Kingdom will be well pleas'd, to find the most judiciously sent by an Assembly of Men, who have acted with such Integrity and Temper, and who in all their Proceedings have appear'd so thoroughly to understand, and so much to love the Honour, the true Interest of their Country. And I am directed, in Her Majesty's Name, to declare to you Her entire Satisfaction in your judicious Conduct, and in the Disposal that you have given to the Business that hath been before you.

Lord Lieutenant's Speech in Parliament. 18.

Gentlemen of the House of Commons, I am particularly committ'd to return to you Her Majesty's Thanks for the Supplies you have so readily and so cheerfully granted; and I have Power and Direction, in Her Majesty's Name, to assure you, that those Supplies shall, with the utmost Care, be employ'd to the Purposes for which they were intended.

My Lords and Gentlemen,

I have Her Majesty's further Commands to assure you all of Her Good-will towards you, and of Her Concern for the Good and Welfare of the whole Kingdom; and have nothing now to add, but to recommend to you, That you will in your several Stations take Care to have a due Execution of those good Laws which have been made for your Security; to cultivate that Union and good understanding amongst your selves, which is so necessary to your Preservation; and do what in you lies to support your Religion and Constitution, and to transmit them to your Posterity.

It is with a great deal of Pleasure, that I flatter my self, from the Addresses and Applications you have made, that the Administration in my Hands hath been to your Satisfaction. And I must take Opportunity to assure you, That I look upon my self as oblig'd in Justice, in Interest and in Gratitude, to endeavour, not only by those just Representations which I shall make to Her Majesty, but by all other Methods that may be in my Power, to promote the true Interest of this Kingdom, to remove any Difficulties that at any time you may lie under, and to give the best Assistance I can towards your Happiness and Prosperity, the Advancement of your Trade, and the Security of your Religion, Laws and Liberties.

Then the Parliament was prorogu'd to the 8th Day of March next.

It

August.

The E. of
Wharton's
Absence
prejudi-
cial to the
Whigs.

Lord-
Treasurer
displac'd
and Five
New Com-
missioners
appointed,
8.

Mr. Har-
ley made
Chancellor
of the Ex-
chequer.

Contests of
Parties.

Hawkers
gain'd by
the Tories.

It was a mighty Satisfaction to the High-Church Party in England that the Earl of Wharton was so long detain'd in Ireland, he being known to be a Nobleman endow'd with great Parts, of Courage, Industry, and Activity, whose early presence here might have done the Whig-Cause some Service; if not at Court, yet in the Elections that were to follow. The Low-Church complain'd, that the Irish Parliament was adjourn'd so long on purpose to keep him there: Be this as it will, they became now as it were Thunder-struck, by the removal of the Prime Minister from his Station; for on the 8th instant, Sidney Earl of Godolphin resign'd his White Staff, as Lord High Treasurer of Great Britain, which Office he had executed above eight Years for the South Part of Britain, and for the whole Island since the Union of the two Kingdoms, 1707. The Treasury was now put in Commission, and managed by John Earl Powles, Robert Harley, Esq; some time Speaker of the House of Commons, and Secretary of State; the Honourable Henry Packer, Son of the Lord Packer, one of the Council formerly to the Prince of Denmark, Lord High Admiral of England; Robert Benson, Esq; Member of Parliament for the City of York; and Sir Thomas Mansell, Baronet, some time Comptroller of Her Majesty's Household. And next day John Smyth, Esq; having resigned his Places of Chancellor of the Exchequer, and Under-Treasurer, the Right Honourable Robert Harley, Esq; succeeded him therein.

Peoples Tongues now grew loose on all sides, to an Extravagance almost beyond belief; such Squadrons of Lies, and Battalions of Scandal was never known amongst us, (at least since the Revolution) when, I think, we had as plentiful an Harvest of 'em as at any time within Memory; The High-Church ran down their Opponents, under Pretence of their being *Republicans*, with greater Success than could have been believ'd; while the Whigs charg'd the other with dark Designs of a *New Restoration*: But the Tories carried every thing now before 'em, and gain'd so great an Ascendency, that they got the very *Mercuries* and *Hawkers* on their side, to bawl out their Pamphlets and Libels in all parts; so that no body durst, if they had Inclination, so much as Cry a Whig-Pamphlet, insomuch that the Country in this Paper-War declar'd it self entirely on the High-Church side; and so we leave them in possession of it, and proceed to other Matters.

I should

August

Mr. Harley Prime Minister

Credit sunk.

The Queen appoints E. Rivers Ambassador to Hanover.

Warrant against Lefly.

I should have noted before, that Mr. *Harley*, upon his Promotion in the Treasury, was admitted of Her Majesty's most Honourable Privy-Council. There was almost a general Concurrence of Opinions, that this mighty Change of the Ministry was chiefly owing to this Gentleman's Management and Dexterity; and that he succeeded now as Prime Minister himself. The *Whigs* themselves could not forbear censuring the stiff Conduct of a certain great Lady, who by absenting herself so much from Court, gave another of her Sex, of a much inferior Degree, and a Kinswoman of Mr. *Harley*, an Opportunity to work so far into Favour and Credit, as to be able with Directions to do the Work effectually.

How triumphant soever the *Tories* were grown, the publick Credit, upon this Change, sunk to a degree, that the *Whigs* themselves would scarce have believ'd, and to which many of them, either out of Sullenness or Fear of a worse Change yet to come in the State, did not a little contribute, by selling out their Bank-stocks, and the like, the which those of the *High Church* who had Money to purchase, wisely took their Opportunity to buy; while the generality of the innocent and well-meaning People of the Nation stood at a Gaze, not knowing whither these things would tend, and what fatal Consequences might ensue thereupon.

I would willingly be no *Party-man*, but to that of Truth; and therefore being desirous to be disengag'd of this Broyl, I'll proceed to observe, That Her Majesty, (in order to put things to rights at the Court of *Hanover*, which perhaps might be alarm'd at this Change, by which, and the Addresses that still continued, the Revolution Principles, whereon that House grounded their best Pretensions, seem'd to be very much discountenanc'd;) appointed the Right Honourable *Richard Earl Rivers* Her Ambassador Extraordinary to that Court. Indeed, there were some disaffected Persons, who took an unusual Freedom at this time, in favour of the Pretender, and amongst others, *Charles Lefly*, formerly Author of the *Rehearsal*, against whom there was now a Warrant issued out by the Lord-Viscount *Dartmouth*, for the taking of him: He appear'd to be the Author of a Treasonable and Seditious Pamphlet, entitul'd, *The Good Old Cause*; and in case he was not found, or did not come in of himself, Orders were given to proceed to an Outlawry against him, but, if I am not mistaken, it is since dropt.

Some

August.
Mr. Day-
rolle made
Resident
at Genoa.
Mr. Inglis
Assistant-
Master of
the Cere-
monies.
Queen ap-
points new
Governors
in Ameri-
ca.

But to leave this; some time this Month, *James Day-*
rolle, Esq; who had for some Years been Secretary of the
Flagge, was appointed to be Her Majesty's Resident at
Genoa; and Her Majesty was graciously pleas'd to con-
stitute John Inglis, Esq; Assistant-Master of the Cere-
 monies. But before this, the Queen had been pleas'd to
 appoint the Right Honourable Lord *Archibald Hamilton*
 to be Captain-General and Governour in Chief of the
 Island of *Jamaica*, in the room of Colonel *Hanley*;
Robert Lowther, Esq; to succeed *Milford O'm*, Esq; in the
 Government of *Barbadoes*; and Colonel *Coburn* to suc-
 ceed Colonel *Symour* in the Government of the Pro-
 vince of *Maryland*.

As for the Addresses above-mention'd; I did not de-
 sign to touch any more upon them; but there are two or
 three of 'em so very remarkable, that they merit Room
 in this History; and that of the *London Clergy* shall have
 it here, before we go any farther.

To the QUEEN'S Most Excellent Majesty.

The humble Address of the Bishop of London, and the
 Clergy of London and Westminster.

May it please Your Majesty,

London
Clergy's
Address.

OUR Hearts have all-along accompanied our Fellow-
 Subjects, the Genuine Sons of the Church of Eng-
 land, in their dutiful Applications to Your Majesty, from
 all Parts of the Kingdom: We have, with great Satis-
 faction, observed the Zeal which they have express'd in
 behalf of Your Regal Title and Prerogative; and the
 Indignation which they have shewn at the unprecedent-
 ed Attempts lately made to undermine not only our ex-
 cellent Constitution in Church and State, but all Reli-
 gion and Government.

We were the less eager to lay hold on this Occasion
 of approaching Your Throne, because we had often and
 freely declared ourselves on these Heads from the Pulpit,
 under the Eye of Your Majesty, and in the Face of the
 whole World.

But the Time is now come, when we can no longer be
 innocently silent, since the Acknowledgment of Your
 Majesty's Hereditary Title, and Irresistible Authority,
 is openly and boldly represented as a plain Declaration
 in Favour of the Pretender.

We look upon the Clergy as deeply involved in this
 malicious Calumny, and therefore think ourselves oblig'd
 to express our utmost Abhorrence of any such disguised
 and traitorous Intention, which our Hearts entirely de-
 voted

voted to Your Majesty) are not capable of harbouring, and which, we believe, none but the avowed or secret Friends of the Pretender would, in order to facilitate their Wicked and Dark Designs, have endeavour'd to fasten upon us.

We have sworn, and are steadfastly purposed to pay all Duty and Allegiance to Your Majesty, our Rightful and Lawful Sovereign, whose Title to the Crown by Descent has been affirmed and recognized by all Your Lige- People, in full Parliament.

We know of no other Person who has any Claim to our Obedience, nor will we ever do any Thing, either in or after Your Majesty's Reign (should we be so unfortunate as to survive it) which may seem in the least to favour such Claims and Pretensions.

On Your Majesty alone our Eyes are now fix'd, all our Wishes and Vows are employ'd for the Length, Peace and Prosperity of Your Reign; and whenever it shall please God, for our Sins, to withdraw so invaluable a Blessing, without any Alleviation of the Loss by Issue from Your Majesty, we acknowledge the most Illustrious House of Hanover, as the next Heirs in the Protestant Line, to have the only Right of Ascending the Throne, and indisputable Title to our Allegiance.

We thank God, from the bottom of our Hearts, for the Legal Provisions in this Regard made to secure us from Popery and Arbitrary Power, which we once, thro' the Divine Assistance, vigorously and successfully withstood, when they were breaking in upon our Constitution; nor shall we fail to manifest an equal Zeal against them, whenever, and by what means soever, they shall meditate a Return.

This, we are firmly persuaded, is the unanimous Sense and Resolution of the Clergy, not only of these Cities, but of the whole Kingdom, as we doubt not will appear to Your Majesty, whenever they have an Opportunity of expressing it in Convocation.

In the mean time, we shall not cease to bow our Knees to God, and most ardently to pray, that he would multiply and encrease the Successes with which Your Wife and Just Designs have been hitherto attended, and continue to bless Your Arms and Councils, till they have effectually subdued the restless Enemies of our Peace, both at Home and Abroad, defeated the Menaces of the Proud, and the Devices of the Crafty, and scattered all the People that delight in War.

August.

To this Address Her Majesty was pleas'd to make the following most gracious Answer.

Queens Answer.

I Take very kindly the Assurances of Duty you give Me in this Address, and the Regard you express for the Protestant Succession.

Remarks on the London Clergy's Address.

When this Address was presented, and printed in the *Gazette* of the 22d, there came out, not long after, the Objections of the Nonsubscribing London Clergy (who were not many in number) against it, said to be writ by the Author of *The Reasons of the Absenting Clergy*. It's a Treatise writ with all the seeming Candour in the World, and the main Scope of it, is, to shew the Inconsistency, or rather Contrariety, of one part of this Address with and to the other; which indeed is so obvious, that no body but either those that cannot or will not see, but must discern it.

French Accounts of our Affairs.

The French, our Enemies, represented our Affairs in great Confusion at this time; that the Parliament would be dissolv'd, and another call'd, tho' the Dutch Envoy Monsr. *Vryberg* had us'd all his Efforts to prevent it, as well as the Whigs or Republicans, who began to despair of succeeding therein: They could not also forbear to mention the Continuance of Dr. *Sacheverel's* Conduct, and magnificent Reception and Entertainment where he came, to the Immortal Honour of that Self-denying Gentleman.

Ld Townshend's Memorial presented to the States. 8.

But it being now time for us to have done with our Domestick Affairs, we shall, if we pass into the *United Provinces*, meet with a Memorial presented on the 7th, by the Lord *Townshend*, Ambassador and Plenipotentiary of the Queen of Great Britain, to the States-General, to acquaint them, That Her Majesty did entirely approve their Resolution, in Answer to the Letter of the French Plenipotentiaries, and all the Steps they had made during the late Negotiations. This Authentick Approbation was very acceptable to the States, as were also the new Assurances the British Minister had given them of the Queen's firm Resolution to prosecute this War with all possible Vigour, 'till the Enemy was brought to accept such Terms of Peace as might secure the Tranquility of the Christian World. They were fully resolv'd therein to follow the Glorious Example of Her Majesty; and the Cities and Provinces which shew'd the greatest Inclination to Peace, were now the most zealous for the Prosecution of the War, being fully convinc'd of the

Infidelity of the French Court. The Province of *Brabant* signified some Days before to the States-General, by their Deputies, That they would sacrifice their last Penny, in order to compel the French to restore the Spanish Monarchy they had usurp'd; and the Province of *Guelderland* did the like. But now to Affairs of the Field.

We have describ'd and mention'd the forming of the Siege of *Bethune* in the last Month; we shall now observe, there were two Attacks against it, one commanded by General *Schuylenburgh*, General of the *Saxons*; and the other by the Baron *de Fogel*, General of the *Dutch* Infantry; and the Cavalry under them was Commanded by Lieutenant General *Wood*. The Trenches were open'd on the 23d of July at Night, and the Works considerably advanced without any Loss. On the 24th, the Garrison made a vigorous Sally with Monsieur *de Pays* *Vauban*, the Governour, at their Head, which occasion'd a sharp Dispute, that ended in the Loss of about 100 Men on each side, and a great many wounded. The Artillery being arriv'd, began to play the first of August (having found Means to drain the Inundation, in which the chief Strength of the Place consisted) till the 27th; when having taken the Counter-Scarp Sword in Hand, and made every thing ready for a general Storm, the Governour beat a Parley on the 28th, and desir'd to capitulate. Hostages being exchange'd, an Officer was sent to the Grand Army, to acquaint the Princes of *Savoy* and *Marlborough* therewith: Upon which, those Princes went to the Camp of the Besiegers on the 29th, when the Articles were sign'd, and a Gate deliver'd up to the Allies the same Day. On the 31st, the Garrison march'd out, with the usual Marks of Honour, to the number 1700 Men, having lost near 2000 during the Siege; and the Allies put 3 Battalions into the Town, under the Command of Major General *Keppel*.

*Siege of
Bethune
prosecuted*

*Surpris'd
29.*

In *Spain* we shall meet with much more Surprising Events than the unexpected Fight at *Almenara*, so much to the Honour and Advantage of the Allies, and that was the Battle fought near *Saragossa* on the 20th: the first Intimations of which we had by the Way of *France*, in a Letter by the Marquis of *Mirabella*; and a Copy of the said Letter was transmitted to *Paris* by the King's Lieutenant of *Bayonne*, and is as follows,

' I think my self oblig'd to let you know, that yesterday, not far from the Gates of *Saragossa*, the King our Master had the Misfortune to lose a Battle, of which, through the Confusion we are in, I cannot give you the full Particulars; but I am Inform'd, that the Battalions

August. 'came from *Flanders* would not fight, but threw down
 'their Arms, and the Cavalry did not behave themselves
 'as was expected. The Regiments of Guards did Wonders.
 'The Duke of *Navarre* was killed by a Cannon-shot, and
 'it is not known what is become of the Marquis de *Bayonne*.
 'I am told further, that the King is gone for *Madrid*,
 'but I am not sure of it: I am come to *Tudela*, to wait for
 'the Orders of the King our Master, and I judg'd it my
 'Duty to acquaint you with what I had learnt, that you
 'may take your Measures accordingly.

Signed,

The Marquis de *Mirabella*.

*Action at
 Penalva.*

*Colonel
 Harrison's
 Account
 of the Bat-
 tle of Sa-
 ragossa.*

The Allies were wonderfully elated with this unexpected Success of the King of Spain, who, after the Fight at *Almohara*, having made himself Master of *Balbastro*, *Estadilla*, the Castle of *Sarriana*, *Huesca*, *Abastillo*, as also a Convoy of 40 Waggon and 80 Mules of the Enemies, besides 20 Horses and 2000 Oxen and Sheep, *Fraga* submitted to him: Then came on the Action at *Penalva*, where on the 15th the Enemy having there posted their Grenadiers, and the Allies Horse not having Ground enough to extend themselves, they caus'd the Dragoons of *Herbeville*, *Morras*, and *Cordova*, and two Portuguese Regiments, to alight. A sharp Action follow'd in that Defile, wherein we took about 300 Prisoners, and kill'd the Colonel *Cordova*, the Brother of the Marquis de *Castellanos*, and a Captain. On their side Colonel *Colberg*, who commanded the Royal Regiment of Dragoons, and the Lieutenant-Colonel *Cordova* were wounded and taken; a Captain, and a Captain-Lieutenant of *Cordova* wounded; two Captains of *Morras* wounded, one Lieutenant and one Cornet kill'd; two Captains of *Herbeville* wounded; some Portuguese Officers also wounded, and about 140 Soldiers kill'd, wounded and Prisoners. The 16th the Army advanc'd to *Burjalaros*. The Enemies, who arriv'd at *Penalva* at the same time that the Allies arriv'd at *Candasnos*, continu'd their march with so great Diligence towards *Pina*, that they pass'd the *Ebro* on the 18th at Night, by the Bridge of *Villa-Franca*; the Allies Army at the same time advanc'd to *Osera*, whence the King detach'd the Generals *Stanhope*, *Carpenter* and *Franken*, with 2000 Horse to discover the Situation of the Enemy; and on the 19th, pursuant to the Account brought by Colonel *Harrison*; at Six of the Clock in the Evening, His Catholick Majesty drew up his Army in order of Battel, within

within Cannon-shot of the Enemy. Marshal *Staremberg*, accompanied by the rest of the Generals, went to observe their Disposition, and found them posted with the *Ebro* on their Left, the Town of *Saragossa* in their Rear, and their Right Wing of Horse drawn up upon the brow of a steep Hill, with a Battery of eight Pieces of Cannon in their Front. The Day being far spent, and a great Part of the Foot not come up, it was thought fit to defer the attack 'till the next Day. On the 20th at break of Day, both Armies played their Cannon, and General *Stanhope*, who commanded the Left Wing, discovered that the Enemy had marched most of their Horse from their Left Wing to their Right, upon which he obtained of Marshal *Staremberg* four Battallions of Foot, which he placed at the Left of the Horse; and six Squadrons of *Portuguese* Horse, which were brought from the Right, he drew up beyond the four Battallions, in order to stretch their Left Wing, as far as possible towards the extent of their Right. It was to be observed, that the Enemy lay in an Oblique Line from the *Ebro* up the Hill, so that their Troops on the Hill lay much nearer to the Allies than those on the Descent from it, and on the Plain. At Twelve a-Clock at Noon the Signal of Battel was made, and the whole Army being drawn up in two Lines, marched at once to attack the Enemy in full Front, except the four Battallions which General *Stanhope* had interlined with the Horse, whom he ordered to advance and take Post on the brow of the Hill; by which means he gained time for his Wing of Horse to form after they were got up. The Allies Left Wing, from their Situation, coming first to the Enemy, began the Battel, which increased towards the Centre, and so continued to the Right, 'till the whole were engaged. But notwithstanding a Disposition so properly made, and the Goodness of the Troops, the Enemies with their Superior Numbers, and Advantage of Ground, seemed at first to have the better of the Day, which propably they would have maintained, if all our Generals, commanding on the Left, had not seasonably lead on fresh Troops to support and rally such as they saw pushed or disordered, by which the Advantage soon began to incline to the Arms of His Catholick Majesty. While the Affair was obstinately disputed on the Left, the Foot being deeply engaged, made a great Slaughter of the Enemy; and at the same time their Left Wing of Horse making little Resistance, within the space of two Hours the Allies gained a compleat and glorious Victory. They took all their Can-

August.

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non, and most of their Colours, so that out of Forty Battalions not above Four Thousand escaped, and of Sixty Squadrons about the like Number; all the rest being killed or taken Prisoners. The King, during the whole Action, gave the necessary Orders, and with His Royal Presence continued to encourage the Troops. His Majesty entered the Town of *Saragossa* the same Night, where he was received with the Acclamations of the People, and all imaginable Expressions of Joy. The same Night the Citadel of *Saragossa* Capitulated, and the Garrison Surrendred themselves Prisoners of War.

Another  
Account  
of the Bat-  
tel of Sa-  
ragossa.

Another Account of this Battel was sent from *Milan* to the Baron *de Zinzerling*, Minister of His Cathblich Majesty at the *Hague*, and the like was transmitted to Prince *Eugene*: The most material part of which was, That the Enemy having gain'd one march, arrived at *Saragossa* before us. The 18<sup>th</sup> the King caused a Bridge to be laid over the *Ebro* at *Ossera*, and the 19<sup>th</sup> the whole Army pass'd that River, with a Design to attack the Enemy. We had then Advice, That the Enemy had received that Morning a Reinforcement of 1400 Horses; and had posted their Army on the Heights of *Torrero*, having the City of *Saragossa* on their Left, the little River *Huebra* in Front, and the *Ebro* in the Rear, under the Command of the Marquis *de Bay*, who had succeeded the Marquis *de Villadarias*, whom the Duke of *Anjou* had dismiss'd few Days before from his Service. This Advice of the Situation of the Enemy was confirm'd by the Report of the Generals who went to take a View of the same; whereupon the King resolved to come to a general Battel with them, and our Generals made during the Night the necessary Dispositions for attacking the Enemy. The next Day, being the 20<sup>th</sup>, we begun at break of Day to Cannonade each other, and our Army, notwithstanding the advantageous Ground where the Enemy was posted, advanced in very good Order, and sustain'd all their Discharges of Artillery and Musquets; the Battel begun about Noon, with so much Bravery and Resolution on the Allies side, that at Three in the Afternoon Victory declared for the King with as much Success and Glory as they could ever wish, the Enemies Army being entirely defeated, and particularly their Infantry, whereof not so much as one Battallion remain'd in good Order. That they took 72 Standards or Colours, 22 Pieces of Cannon, and all their Baggage, 400 Officers of all Ranks, with 6000 private Men, were taken Prisoners. His Majesty, who had put himself at the Head of the Army, expos'd himself every where, to the greatest Fire,

Fire, to encourage the Troops by his Presence, and had afterwards the Glory to Sup in the Tent of the Duke of Anjou. That the Victory was so much the greater, that it had cost them but few Men, the Number of the Slain and Wounded being very little, and none of the Generals missing.

Having thus inserted the Authentick Accounts of the Victory of *Saragossa*, as related by the Allies, we shall add here what the Enemy publish'd since our former, taken out of the *Paris Gazette*, and a Letter written by one of their Officers, who was in the Action; because it contains some Particulars which are not mentioned in the other Accounts on this Occasion; and having inform'd us, That the Troops had been very much weaken'd in the Camp of *Ibars* by Sicknes, and by want of Provisions, and the Horse extreemly fatigu'd by the continual Excursions to fetch Corn 7 or 8 Leagues; while the Enemies Cavalry lay still in their Camp of *Balaguer*. They added, That the Army diminish'd considerably likewise, during the march, a great number of Soldiers falling sick, or being so weak and tir'd that they were left on the Road; so that on the 16th, when the Marquis de Bay joyn'd the Army, it was reduc'd to 17000 Men very much fatigu'd. That the 17th the Army encamp'd at *Villa-Franca*, with their Right to the *Ebro*, and the Left at the Mountains, cover'd by a deep Hollow, within a Quarter of a League of *Offera*, which Hollow extended from the River to the Mountains. That over that Hollow there was only a little Bridge of Stone, near which the Marquis de Bay caus'd the Artillery to be posted with a Detachment of Foot. That he had Notice at One in the Afternoon, that the Vanguard of the Enemy appear'd, and immediately he caus'd Ten Companies of Grenadiers to march towards the Hollow-way, and mounted on Horseback to observe the Enemies Motions. That he saw their Cavalry was on this side of *Offera*, follow'd by their whole Army, and he sent Order to all his Foot to advance toward the Hollow-way, and to the Horse to draw up in Battalia, being resolv'd to fight the Enemy, if they should attempt to pass. That Count *Starembergh*, who advanc'd, did not think fit to attempt the Passage, and towards the Evening he caus'd his Army to draw off, and encamp'd between *Offera*, and *Pinna* on the *Ebro*, with his Left to the latter. That the following Night their Army encamp'd in the Neighbourhood of *Saragossa*, between the *Gallego* and the *Ebro*, the Enemy not appearing, because the Marquis de Bay had caus'd the Bridge over the aforementioned Hollow

French  
Account  
of the Bat-  
tel of Sa-  
ragossa.



*August* to be blown up by a Mine. That on the 18th, three Brigades of Horse, and one of Dragoons were order'd to pass over the Bridges of *Saragossa*, and they posted themselves with their Left to the *Ebro*, having the City in their Rear. The 19th, the Enemy having pass'd that River, march'd to the hither side of the *Chartreuse*. The Marquis de Bay advanc'd to take a View of them, drawn up in *Banalia*, with the Left to the *Ebro*, and the Right in a great Plain. That on the 20th, at Six in the Morning, the Artillery on both sides began to fire with great Execution on the Enemy, their Infantry suffering very much, and their Cavalry less because they were in a low Ground: On the *French* side the Duke de Havré was kill'd with a Cannon-shot. That between Eleven and Twelve the Enemy's Army advanc'd, their Left having been re-inforc'd with the greatest Part of their Horse, to the end they might take in Flank those of the *Spanish* Army, commanded by Don Juan Antonio d'Amazaga, and by Count Mahoni. But, that the Horse-Guards and Dragoons of the first Line did not give them Time, charging their Left so boldly, that they entirely defeated them, and pursu'd them with great Slaughter to the *Ebro*, into which several of them threw themselves and were drown'd. That five Standards were taken from them, and *Anjou's* Men hamstring'd 300 Mules belonging to their Artillery which were on that side. The rest of the Cavalry of their Right finish'd the Defeat of the Enemy's first Line: But that charging in Disorder, they were stopp'd by their second Line. The Marquis de Bay hasten'd thither, and endeavour'd to rally them and lead them to a second Charge; but though he put himself at their Head, he could not accomplish his Design, because the Infantry, which was chiefly compos'd of new Levies, having given ground, the Enemy's Foot made so great a Fire upon the said *Spanish* Horse, that they put them wholly into Disorder. Then the Marquis de Bay observing that almost all the Enemies Horse charg'd on that side, he sent Order to Don Joseph d'Armentariz, Lieutenant-General, and to Don Pedro Ronquilla, Major-General, who commanded the first Line of the Left Wing, to come to him with all their Cavalry, except eight Squadrons, ordering at the same time the Count de Merode and the Marquis de Larosle, who commanded the second Line, to supply their room. That as soon as they had joyn'd him, he charg'd the Enemy with so much Vigour, that he brake them; but the Disorder of the Horse and Foot of the second Line of the Right was so great, that they could not be brought into any fit Posture to charge a second Time.

Mean

Mean while the Count de Mervill and the Marquis de Lansarote advancing with the second Line of the Left, were retarded by a Ditch that was in their Way: However, having pass'd it, they observ'd that the Enemy had detach'd from their Right one Battalion follow'd by two others, to take in Flank the Wallon Guards, who made the Point of the first Line of our Left. The Marquis de Lansarote put himself at the Head of two Squadrons of the Regiment of *Jack Lansarote*, and attack'd with so much Fury those three Battalions that he entirely defeated them, and took from them four Colours. Notwithstanding which, the great Fire of the Enemy's second Line oblig'd him to rejoin the rest of the Cavalry, with which and with three Battalions, the Count de Mervill and he advanc'd to make a new Charge; but seeing that they were going to be surrounded by ten Squadrons and some Battalions, who had already gain'd their Left; they retir'd and repass'd the Ditch, covering likewise the Passage of two Battalions of Wallon Guards which gave them Opportunity to gain the Hills call'd *de la Guardia*. That those two Battalions distinguish'd themselves, having defeated 3 German Battalions and took their Colours; the Brigade of *Rapelmonde* distinguish'd themselves likewise; for they stopp'd the Enemy, and would not retire, though they had suffer'd great Loss, till the end of the Battle; after which, they drew off without being pursu'd, no more than were the rest of the Army. That the Marquis de Bay retir'd to *Thule*, where he had drawn together again 4000 Horse and 6000 Foot, besides the Body which was at *Daroca*, under the Command of the Duke de *Pratameno*. He had also sent 800 Men to *Pampelona*. That the Number of the Kill'd of the King's Army was not known, because a great many Men who were thought to be kill'd or taken came in daily. That as to the Enemy they own'd, that at their departure from *Balaguer* their Army consisted of 22000 Men, and that they lost 6000 in the three Actions of the 27th of July, and of the 15th and 20th of August.

Let the French and Spaniards disguise their Loss in this Battle as much as they please, and exaggerate the Loss of the Allies, 'tis certain things were worse with them than they represented 'em to be. It's very certain, that this Battle of *Saragossa* was a most shocking Blow both to *Spain* and *France*; and that the Allies had reason for the Hopes they conceiv'd from it, that all *Spain* would soon be King Charles's, and so a glorious End put to this most Cruel and Expensive War; but Things at last took quite another Turn. However,

*August.*  
*French X.*  
*Shocks at*  
*the Battel*  
*of Sara-*  
*gossa.*

it occasion'd for the present an unspeakable Consternation in the French Court, and they wrote from Versailles, that when they receiv'd the first Account of the entire Defeat of the Duke of *Ayos* by the Letter of the Governor of *Saragossa*, *Levis* the Great betray'd more Weakness than he had upon the News of the fatal Battels of *Hochstet* and *Ramellies*, and retired into his Closet, where in he continu'd for some Hours without admitting there into any one of his Courties or Ministers. But the Council being called some time after, it was resolv'd that the Duke of *Vaudome*, who was appointed to go for Spain, (*King Philip* having conferr'd upon him the Command of his Forces) should immediately set out for *Navarra*, to put himself at the Head of the Remains of the Spanish Troops, which were to be re-inforc'd by Detachments from several Parts of *France*.

It's scarce worth our while to pass to the Frontiers of *Savoy*, the Allies on that side having been able to do nothing, after the taking the Redoubts of *Arbas* and *Chablais*, but to blow them up.

We have accounted before for the Surrender of *Aigs* to the *Muscovites*, and told you, That the Garrison was to be transported into *Sweden*, according to the Articles of Capitulation, but the same was not performed for the several Substantial Reasons contained in a Declaration, published in several Parts of *Europe* by the *Muscovite* Minister, which is too tedious to be insert'd here.

Let us once again return to the Domestick Affairs of *Britain*; where Her Majesty about the beginning of this Month was pleas'd to Constitute *Henry* Duke of *Beaufort*, Lord-Lieutenant of *Hampshire*, and Warden of the *New-Forest*, in the room of *Charles* Duke of *Bellon*; and about the middle, *Sir Simon Harcourt* was appointed Attorney-General, in the room of *Sir James Montague*: *Sir Simon* had been Solicitor-General before, he having been promoted to that Office in the First Year of Her Majesty's Reign; that some Change being attempted to be made at Court in Feb. 1707-8, *Sir Simon* then resign'd it.

*L. Somers,*  
*D. of De-*  
*von, and*  
*Mr. Boyle*  
*resign their*  
*Places of*  
*President,*  
*L. Steward*  
*and Secre-*  
*tary, 26.*

On the 20th the Right Honourable *John* Lord *Somers* resign'd his place of President of Her Majesty's most Honourable Privy-Council, to which he had been promoted on the 5th of *Novemb.* At the same time *William* Duke of *Devonshire* surrender'd his White-staff, as Steward of Her Majesty's Household, wherein he had succeeded His Father, who had enjoy'd that great Office during all *King William's* Reign, and part of *Queen Ann's*, till removed by Death on the 19th of *August*, 1707.



In like manner the Honourable *Henry Boyle, Esq;* resigned the Seal, as one of the Principal Secretaries of State, to which Office he was promoted from that of Chancellor of the Exchequer, upon the Resignation of *Robert Harley, Esq;* in Feb. 1708. He is succeeded in the Secretaries Place by *Henry St. John, Esq;* who had been made Secretary of War, and for the *Marines*, in the room of *M<sup>r</sup>. Blaisdwait*, in April 1704, and continued so till Feb. 1708, when he quitted that Place, which was confer'd upon *Robert Walpole, Esq;* then one of the Council to the Prince of Denmark, as Lord High Admiral of Great Britain, &c. *M<sup>r</sup>. St. John* was pleas'd to continue *M<sup>r</sup>. Tilson* Under-Secretary, but brought in *Thomas Hars, Esq;* in the room of *Horatio Walpole, Esq;* My Lord *Somers* was succeeded in the Presidentship of the Council by *Laurence Earl of Rochester*, which Honourable Post his Lordship enjoy'd once before, the same having been bestowed upon him by King *Charles II.* in Aug. 1681, in the room of the Earl of Radnor, Grandfather to the present Earl of that Name, who had his *Quæritus*: Upon the Accession of King *James II.* to the Crown, and my Lord *Rochester* being advanced to be Lord High Treasurer of England, the Earl of *Sunderland* then Secretary of State, and the Father of the Present Earl, was promoted some time after to be President of the Council; at the same time the Duke of *Buckingham* and *Northanby* had the White-staff given him as Lord Steward of the Household; His Grace, when Earl of *Mulgrave*, had been Lord Chamberlain of the Household to King *James*, which place was confer'd on him upon the Death of the Earl of *Aylesbury*, in *Octob.* 1685, the which he held till the Abdication of that Prince in 1688. He was, upon the Coming of Her present Majesty to the Throne, made Lord Privy-Seal, which Post he held till March 1705, when *John Duke of Newcastle* was put into it.

About 4 or 5 Days after, *William Lord Cowper*, Lord High Chancellor of Great Britain, resigned the Great-Seal into Her Majesty's Hands, after he had discharged the Function of that High Station with universal Applause for near five years; the Seal having been Committed to his Custody in *Octob.* 1705. Her Majesty having thought fit, for the present, to appoint Commissioners to execute that Place, these were Sir *Thomas Trevor*, Knight, Lord Chief Justice of the Common-Pleas, the Honourable *Robert Tracy, Esq;* one of the Barons of the Exchequer in England, and ——— *Scroop, Esq;* a Baron of the Exchequer in Scotland.

Lord  
Chancellor  
Resigns.

Commis-  
sioners his  
Successors.

Now

*August.*  
*Mr. Moor*  
*made a*  
*Commissi-*  
*oner of*  
*Trade.*

Now it was that Her Majesty thought fit to appoint *Arthur Moor*, Esq; to be one of the Lord Commissioners for promoting the Trade of *Great Britain*, and for inspecting and improving the Plantations in *America* and elsewhere.

About the end of this Month, *James Vernon* senior, Esq; Second Teller of the Exchequer, was removed from that Place, and *John Smyth*, Esq; lately Chancellor and Under-Treasurer of the Exchequer, was put into his Place: Mr. *Vernon*, who had been Secretary of State in the latter part of King *William's* Reign, and was removed upon Her present Majesty's Accession to the Throne, from that Office, to make room for Sir *Charles Hedges* to come in, had the Teller's Place then given him: At the same time the Honourable *Francis Robertes*, Esq; Uncle to the present Earl of *Radnor*, quitted also his Place of Third Teller of the Exchequer, to his Nephew the Honourable *Russel Robertes*, the Earl's Brother: Both seems to have been done by Consent.

*Earls of*  
*Wharton*  
*and Orford*  
*resign.*

Much about the same time *Thomas* Earl of *Wharton* resigned his Government of *Ireland*, of which Kingdom Her Majesty had been pleas'd to Constitute him Lord-Lieutenant, in *Novemb. 1708.* *Edward* Earl of *Orford* also threw up his Place of First Lord-Commissioner of the Admiralty of *Great Britain*; wherein his Lordship and Fellow-Commissioners had acted with great Applause, since the latter end of *Octob. 1709.* the other four Commissioners, viz. Sir *John Leake*, Sir *George Byng*, *George Doddington* and *Paul Merburn*, Esquires, were continued, and Sir *William Drake* Kt. and Bar. and *John Aislaby* Esq; added to them. *James Vernon* jun. Esq; was made one of the Commissioners of Excise, in the room of Sir *William Gifford*, made Governor of *Greenwich* Hospital. This Mr. *Vernon* was sent Envoy Extraordinary to *Denmark*, by *K. William III.* a little before his Death.

*New Com-*  
*missioners*  
*of the Ad-*  
*miralty.*

*M. Vernon*  
*jun. made*  
*Commissi-*  
*oner of the*  
*Excise.*

*E. of Sun-*  
*derland*  
*chose R-*  
*ecorder of*  
*Coventry.*

The City of *Coventry*, upon the Death of their Recorder *Thomas* late Earl of *Coventry*, now thought fit to make choice of *Charles* Earl of *Sunderland* to succeed him, who some time before had been dispossest of his Place of Principal Secretary of State.

In like manner Her Majesty was pleas'd to appoint his Grace the Duke of *Newcastle*, Lord Privy-Seal, to be Warden and Chief-Justice in Eyre of all Her Majesty's Forests, Parks, Chaces and Warens beyond *Trent*, in the room of *William* Duke of *Devonshire*. Her Majesty was likewise pleas'd to constitute the Right Honourable *Arthur* Earl of *Anglesea* and *Henry* Lord *Hyde* jointly to execute

cute the Office of Vice-Treasurer, and Receiver-General and Paymaster of Her Majesty's Revenues in Ireland; in the room of John Earl of Anglesea, deceased; and to appoint George Granville, Esq; Secretary at War, in the place of Mr. Carden.

Mr. Roger Grant was now sworn Oculist and Overseer Extraordinary for the Eyes to Her Majesty: And before the close of this Month, Edward Jefferys and ——— Esquires, were made of Her Majesty's learned Council at Law. About the same time John Masley Esq; was made Surveyor-General of all Her Majesty's Landships, Manours, Castles, &c. in the room of Samuel Trepers, Esquire.

Before the End of the Month, came out the Queen's Proclamation for a Day of Publick Thanksgiving to be kept on the 7th of November for the wonderful Course of Success this Campaign, and more particularly the Signal and Glorious Victory in Spain; and the Parliament being Prorogued from the 4th of August to the 26th of September, the Dissolution of it began now to be past all manner of Doubt: So that great Interest was making every where against the new Elections: Both Parties continuing with an infinite deal of Industry to blacken one-anothers Characters as much as possibly they could: The Whigs, to give a Specimen of the Disaffection of the Highflyers to the Protestant Succession, notwithstanding the many Addresses they had presented to the contrary, as a Proof thereof, published two Papers, one of them entitled, *A Test offered to the Consideration of the Electors of Great Britain; the other, A List of the Honourable House Commons that Voted for and against the Clause for the Hanover Succession, in the Year 1702*; the last of which, as being the most material, take as follows.

ON Wednesday, the 27th of January 1702. in the first Year of Her Majesty's Reign, the House of Commons passed a Bill, intituled, *An Act for enlarging the time for taking the Oath of Abjuration, and also for reciprocating and indemnifying such Persons as have not taken the same by the time, and shall take it by the time appointed*; and the same Day sent it up to the Lords for their Concurrence.

On Tuesday the 9th of February following, the Lords returned the said Bill with some Amendments, to which they desired the Commons Concurrence.

*By the*

M. Grant sworn Oculist Extraordinary.

New Council at Law. New Surveyor of the Queens Castles, &c

Thanksgiving appointed.

Parliament prorogued.

List of the Commons for and against the Hanover Succession Clause in 1702.



*Speech.*

On Saturday the 13th of February, the House of Commons took into consideration the Amendments made by the Lords; the most material of which being a Clause for the further Security of the Protestant Succession in the illustrious House of *Hanover*, is here set down at length, and is as follows:

And for the further Security of Her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors; Be it further enacted by the Authority aforesaid, That if any Person or Persons, at any time after the first day of *March*, 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the time being, according to the Limitations in an Act, entitled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and according to another Act, entitled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, from succeeding after the Decease of Her Majesty (whom God long preserve) to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, according to the Limitations in the before-mention'd Acts; that is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless Her Majesty with Issue, and during the time Her Majesty shall have no Issue, the Princess *Sophia*, Electress and Dutches Dowager of *Hanover*; and after the Decease of the said Princess *Sophia*, the next in Succession to the Crown for the time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly shall attempt by any Overt Act or Deed: Every such Offence shall be adjudged High-Treason, and the Offender or Offenders therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traytors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High-Treason.

The other Amendments were, a Clause or Clauses to enact the Abjuration-Oath to be taken in *Ireland*, in the same manner as in *England*, and to provide that no Person, who by reason of his neglect of taking the Oath, had forfeited his Office, &c. to which any other Person had been legally prefer'd, should be restor'd to the same,

same, by any thing contain'd in the Act, as sent up to the Lords.

After Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided.

Yea's, for agreeing with  
the Lords.

No's, against agreeing  
with the Lords.

*The Right Honourable Lord*  
Edward Russell.

*Sir William Gostwick, Bart.*

William Spencer, Esq;

Richard Nevill, Esq;

Richard Topham, Esq;

*Sir Owen Buckingham, Kt.*

*Sir Rich. Temple, Bart.*

*Sir Edmund Denton, Bart.*

Charles Godfrey, Esq;

Fleetwood Dormer, Esq;

Richard Hampden, Esq;

James Chase, Esq;

*Sir Rushout Cullen, Bart.*

*The Right Honourable Henry*

Boyle, Esq;

Anthony Thompson, Esq;

*The Honourable Russel*

Robarts, Esq;

Henry Vincent, Esq;

*The Honourable Francis*

Godolphin, Esq;

James Craggs, Esq;

Hugh Boscawen, Esq;

Thomas Stanwix, Esq;

James Stanhope, Esq;

William Cowper, Esq;

Peter King, Esq;

Thomas Bere, Esq;

Robert Burridge, Esq;

*Sir William Phippard, Kt.*

Henry Henly, Esq;

Anthony Henly, Esq;

*Sir John Cropley, Bart.*

*Sir Isaac Rebow, Kt.*

Maynard Colchester, Esq;

Richard Dowdeswell, Esq;

*The Right Honourable Tho-*

mas Lord Conningsby.

George Sayer, Esq;

*Sir John Stonehouse, Bart.*

William Jennings, Esq;

Thomas Repda, Esq;

*Sir Simon Harcourt, Kt.*

Solicitor-General.

Simon Harcourt, Esq; of

Ailesbury.

*Sir Henry Parker, Bart.*

*Sir Samuel Garrard, Bart.*

Richard Crawley, Esq;

Granado Pigot, Esq;

*The Honourable Arthur An-*

nelly, Esq;

*Sir George Warburton, Bart.*

*Sir Roger Mostyn, Bart.*

*Sir Richard Vivian, Bart.*

James Buller, Esq;

William Cary, Esq;

*The Right Honourable Henry*

Lord Hide.

William Pole, Esq;

Francis Scobell, Esq;

*Sir Henry Seymour, Bart.*

Alexander Pendarves, Esq;

John Manley, Esq;

George Granville, Esq;

Henry Flemming, Esq;

John Anstis, Esq;

*Sir Nicholas Morice, Bart.*

John Tredenham, Esq;

*Sir William Coryton, Bart.*

*Sir Christ. Musgrave, Bart.*

Richard Musgrave, Esq;

Christopher Musgrave, Esq;

John Curzon, Esq;

Thomas Coke, Esq;

John Harpur, Esq;

Thomas Coulson, Esq;

John Woolcomb, Esq;

Nich. Hooper, Serj. at Law.

The

*Appendix.*

*Yea's, for agreeing with the Lords.* | *No's, against agreeing with the Lords.*

|                                                     |                                            |
|-----------------------------------------------------|--------------------------------------------|
| <i>The Honourable Charles Stanley, Esq;</i>         | Richard Hele, <i>Esq;</i>                  |
| Ambrose Pudday, <i>Esq;</i>                         | James Bolteel, <i>Esq;</i>                 |
| John Chaplain, <i>Esq;</i>                          | Sir Thomas Lear, <i>Bart.</i>              |
| <i>Sir William Ellys, Bart.</i>                     | Richard Reynell, <i>Esq;</i>               |
| Richard Ellys, <i>Esq;</i>                          | Frederick Herne, <i>Esq;</i>               |
| <i>Sir Gilbert Heathcote, Kt.</i>                   | Thomas Strangeways, <i>Esq;</i>            |
| John Morgan, of Tredegar, <i>Esq;</i>               | Thomas Chaffin, <i>Esq;</i>                |
| <i>Sir Charles Turner, Kt.</i>                      | Nathaniel Napier, <i>Esq;</i>              |
| Robert Walpole, <i>Esq;</i>                         | <i>The Honourable Henry Thynne, Esq;</i>   |
| <i>Sir Thomas Littleton, Bart.</i>                  | George St. Loe, <i>Esq;</i>                |
| <i>The Honourable Sidney Wortley-Montague, Esq;</i> | Edward Nicholas, <i>Esq;</i>               |
| <i>The Honourable Charles Eggeston, Esq;</i>        | Richard Pownes, <i>Esq;</i>                |
| <i>The Honourable Tho. Wentworth, Esq;</i>          | <i>Sir Robert Eden, Bart.</i>              |
| <i>Sir Francis Blake, Kt.</i>                       | <i>Sir Henry Bellasyse, Kt.</i>            |
| <i>Sir Henry Liddell, Bart.</i>                     | Thomas Conyers <i>Esq;</i>                 |
| William Carr, <i>Esq;</i>                           | <i>Sir Charles Barrington, Bart.</i>       |
| Emanuel How, <i>Esq;</i>                            | William Fytche, <i>Esq;</i>                |
| <i>Sir John Delaval, Bart.</i>                      | John Comyns, <i>Esq;</i>                   |
| Samuel Ogle, <i>Esq;</i>                            | <i>The Right Honourable John How, Esq;</i> |
| Jonathan Hutchinson, <i>Esq;</i>                    | William Trye, <i>Esq;</i>                  |
| John Thornaugh, <i>Esq;</i>                         | Charles Cox, <i>Esq;</i> of Cirencester.   |
| <i>Sir Francis Molyneux, Bart.</i>                  | Henty Gorges, <i>Esq;</i>                  |
| George Gregory, <i>Esq;</i>                         | Henry Cornwall, <i>Esq;</i>                |
| <i>Sir Humphrey Briggs, Kt.</i>                     | Ralph Freeman, <i>Esq;</i>                 |
| <i>Sir William Forrester, Kt.</i>                   | John Gape, <i>Esq;</i>                     |
| George Weld, <i>Esq;</i>                            | Charles Caesar, <i>Esq;</i>                |
| Robert Yate, <i>Esq;</i>                            | Richard Goulstone, <i>Esq;</i>             |
| <i>Sir William Daines, Kt.</i>                      | Henry Lee, <i>Esq;</i>                     |
| Edward Clark, <i>Esq;</i>                           | Edward Knatchbull, <i>Esq;</i>             |
| George Balch, <i>Esq;</i>                           | William Cage, <i>Esq;</i>                  |
| <i>The Right Honourable Lord William Pawlet.</i>    | <i>The Honourable Heneage Finch, Esq;</i>  |
| Geo. Rodney Bridges <i>Esq;</i>                     | Thomas Bliss, <i>Esq;</i>                  |
| Anthony Morgan, <i>Esq;</i>                         | Thomas King, <i>Esq;</i>                   |
| Robert Mitchell, <i>Esq;</i>                        | Richard Fleetwood, <i>Esq;</i>             |
| Thomas Dore, <i>Esq;</i>                            | Robert Heysham, <i>Esq;</i>                |
| Paul Burrard, <i>Esq;</i>                           | John Ward, <i>Esq;</i> of Newton           |
| Richard Woolaston, <i>Esq;</i>                      | Thomas Leigh of Lyme, <i>Esq;</i>          |
| <i>The Right Honourable John Smith, Esq;</i>        | <i>The Honourable John Venn, Esq;</i>      |

Sir



Yea's, for agreeing with  
the Lords.

No's, against agreeing  
with the Lords.

Sir Michael Biddulph, Bart.

John Crew Offley, Esq;

Thomas Guy, Esq;

The Honourable Spencer

Compton, Esq;

Sir Joseph Jekyll, Kt.

Sir Thomas Felton, Bart.

Sir Richard Onslow, Bart.

Charles Cox, Esq;

John Cholmely, Esq;

John Ward, Esq;

Sir Robert Clayton, Kt.

Stephen Harvey, Esq;

Denzil Onslow, Esq;

Thomas Onslow, Esq;

Thomas Pelham, Esq;

Sir Nicholas Pelham, Kt.

Nathaniel Gould, Esq;

Robert Eyre, Esq;

Sir John Hawles, Kt.

Sir James Ash, Bart.

Thomas Jervoise, Esq;

Edward Ash, Esq;

William Monson, Esq;

James Mountague, Esq;

Charles Mompesson, Esq;

William Welsh, Esq;

Thomas Wylde, Esq;

Charles Cocks, Esq;

John Rudge, Esq;

The Right Honourable Wil-

liam Ed Marquis of Har-

tington.

Sir William Robinson.

Sir William St. Quintin.

William Maister, Esq;

Christopher Stockdale, Esq;

Sir William Hustler, Kt.

Sir William Strickland, Bart.

William Jessop, Esq;

Sir Charles Hotham, Bart.

William Lowther, Esq;

John Pulteney, Esq;

Matthew Aylmer, Esq;

Sir George Beaumont, Bart.

James Winstanly, Esq;

The Honourable Lem/Dy-

moke, Esq;

Sir John Thorold, Kt.

Sir Thomas Meres, Kt.

Arthur Moore, Esq;

The Right Honourable Wil-

liam Cecil, Esq;

The Honourable Charles Ber-

tie, Esq;

Hugh Smithson, Esq;

Thomas Cross, Esq;

Sir Francis Child, Kt.

Thomas Blofield, Esq;

Sir Justinian Isham, Bart.

Francis Arundel, Esq;

John James, Esq;

William Levinz, Esq;

Sir Robert Jenkinson, Bart.

William Bromley, Esq;

Thomas Rowney, Esq;

Francis Norreys, Esq;

The Honourable Charles

North, Esq;

Richard Holford, Esq;

Roger Owen, Esq;

John Kynaston, Esq;

Richard Mytton, Esq;

Sir Edward Acton.

Nathaniel Palmer, Esq;

Sir Francis Warr, Bart.

Sir Tho. Wroth, Bart.

Sir Jacob Banks, Kt.

George Pitt, Esq;

Henry Holmes, Esq;

William Stephens, Esq;

Francis Gwyn, Esq;

Edward Bagot, Esq;

Joseph Girdler, Sergeant at

Law.

Sir Robert Davers, Kt.

Morgan Randyl, Esq;

Thomas Gery, Esq;

Phillip

Septemb.

Yea's, for agreeing with  
the Lords.No's, against agreeing  
with the Lords.

Philip Papillon, Esq;  
Sir Henry Furnese, Kt.  
Sir Arthur Owen, Bart;  
Griffith Rice, Esq;

Henry St. John, Esq;  
Robert Byerly, Esq,  
The Right Honourable Lord  
Viscount Bilkley;

In all, 118.

The Right Honourable Tho.  
Mansel of Morgan, Esq;  
In all, 117.

Tellers for the Yea's.

Sir John Holland.  
Sir Matthew Dudley.

Tellers for the No's.

Sir Willoughby Hickman, Kt.  
Richard Crawley, Esq;

Note, That the Lord Wharton, now Earl of Wharton, and late Lord Lieutenant of Ireland, was the Person who propos'd in the House of Lords the Clause for the further Security of the Protestant Succession; and the other Amendments afore-mention'd.

To this happy Majority, tho' but of one Vote, we owe so Excellent a Law, so great a strength'ning to the Protestant Succession in the Illustrious House of Hanover, upon the supporting of which our Religion and Liberties, and all that's dear to any true British Protestant, does entirely depend.

This seeming to be a very home Thrust, the new Ministry could not but think it necessary to give an Answer to the heinous Charge; and therefore the following Account of that matter was Published by Authority, in the *London Gazette* of the 30th.

Vindica-  
tion of the  
Tory  
Members  
as to the  
Clause of  
the Hano-  
ver Suc-  
cession.

‘Whereas two Printed Papers, one entituled, *A Test offer'd to the Consideration of the Electors of Great Britain*; and the other entituled, *A List of the Honourable House of Commons that Voted for, and against the Clause for the Hanover Succession, in the Year 1702*, are lately dispersed Abroad; wherein are mentioned Amendments made by the Lords to the Bill, entituled, *An Act for enlarging the Time for taking the Oath of Abjuration, and also for recapacitating and indemnifying such Persons as have not taken the same by the Time, and shall take the same by the time Appointed*: And that the House of Commons, the 13th of February 1702, took those Amendments into Consideration.

‘And whereas, after setting forth verbatim the Cause following, viz.

‘And

And for the further Security of Her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the Pretended Prince of Wales, and all other Pretenders, and their Open and Secret Abettors; Be it further enacted by the Authority aforesaid, That if any Person or Persons, at any Time after the first Day of March 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the Time being, according to the Limitations in an Act, entituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*; and according to one other Act, entituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, from succeeding after the Decease of Her Majesty, (whom God long preserve) to the Imperial Crown of this Realm, and the Dominions and Territories thereunto Belonging, according to the Limitations in the before-mentioned Acts; that is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless Her Majesty with Issue; and during the time Her Majesty shall have no Issue, the Princess Sophia, Electress and Duchess-Dowager of Hanover; And after the Decease of the said Princess Sophia, the next in Succession to the Crown for the time being, according to the Limitations of the said Acts; and the same maliciously, advisedly and directly, shall Attempt by any Overt Act or Deed, every such Offence shall be adjudged High-Treason, and the Offenders or Offender therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof Convicted or Attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged to be Traytors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High-Treason.

And also, after setting forth the Substance of other Clauses (other of the said Amendments) it is said in the said Printed Papers, thus: 'After Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided.

And at the end of the said Printed Papers, it is said; 'To this happy Majority, tho' but of One Vote, We owe so Excellent a Law, so great a Strengthening to the Protestant Succession in the Illustrious House of Hanover, upon the Supporting of which Our Religion and Liberties,



*Septemb.* Liberties, and all that's dear to any true British Protestant, does intirely depend.

Now I (being required to certify the Truth of the Fact, as it appears by the Journal of the House of Commons) do humbly certify, as followeth, viz.

That it does appear by the Journal of the House of Commons, of the Session of Parliament begun in 88th. 1702. as also by the Original Minute Books thereof, That the said Clause set forth at large as aforesaid, (and which was mark'd B.) was Agreed to by the House of Commons, without any Division thereupon; And that the Division that was in the House upon the 13th Day of February, (upon which the Numbers of Yea's were 118, and No's 117,) was upon a precedent Amendment, viz. upon a Clause mark'd A. which is as followeth:

'Provided always, That no Person or Persons, who by reason of any such Mistake, Neglect or Omission, hath or have Lost or Forfeited any Office, Benefice, Place, Dignity or Employment whatsoever, to which any other Person or Persons hath or have been Preferred or Promoted, shall be Restored to such Office, Benefice, Place, Dignity or Employment: Any thing herein contained to the contrary notwithstanding.

And the other Amendments made by the Lords to the said Bill, were Agreed to by the House of Commons, without any Division.

PAUL FODRELL,  
Cler' Dom' Com'

Sept. 29. 1710.

The first Reply that was made to this, was entituled, *A Letter sent from a Gentleman in the Country, who was very well acquainted with what pass'd in Parliament concerning the TEST*; to this effect,

*Reply to  
the Vindi-  
cation of  
High-  
Church.*

I Don't wonder they are so angry at the TEST, and their catching at any Twig to turn it off: If they had Printed the whole Journal, the Fact would have appear'd in its true Light. The Division was not actually upon that Clause, for there were Three Amendments, and that was the Second of the Three; and their losing the Question upon the First, was the Reason of their not dividing upon all the others; no body ever dividing upon Three or Four Questions in Parliament of the same Nature, when the first is lost; and the TEST does not pretend to say, that the Division was actually upon that particular Clause, but upon the Amendments, which were all of the same Nature, tho' that was the most material; but the Debate ran upon

September

upon them all, and particularly upon this Clause; upon which Sir Christopher Musgrave said in the Debate; That he could never agree to make new Treasons, by a particular Clause tack'd to a Bill. In answer to which Sir J. ——— said, He wonder'd to hear that Gentleman make that Objection, who had been so warm but the Year before, just before the King's Death, to tack a Clause of the same Nature, in favour of the Princess Anne of Denmark, to the Abjuration Bill.

But the following Letter being much more particular in Answer to Jodrel's Account, as well as that sign'd by Dr. Smallridge and Mr. Cross, call'd; *A Detection of Falshood*, &c. of less Authority than the other, it's thought proper to insert it here *in totidem Verbis*;

S I R,

I Have seen a Paper that was lately publish'd, which is sign'd by Geo. Smallridge, D. D. and Tho. Crosse, call'd, *A Detection of a Falshood endeavour'd to be impos'd on the Publick, in a Paper, intitul'd, A Test offer'd to the Consideration of the Electors of Great Britain*. I have also seen an Account of the same matter printed in the *Gazette* of the 30th of September, and sign'd by Mr. Jodrel. But having been myself in the House when that matter was transacted, I beg leave to acquaint you with some Particulars, by which it will plainly appear to you, that the first Account is equivocating, and the second is imperfect.

Another more ample Reply

When the House of Commons proceeded (according to Order) to take into Consideration three Amendments made by the Lords to a Bill, entitul'd, *An Act for enlarging the time for taking the Oath of Abjuration*, &c. the Debate was chiefly held upon the Subject-matter of the Second Amendment; and those Gentlemen that were against giving that Security to the House of Hanover, principally insisted on the Danger of multiplying Treasons, the great Inconveniencies that might arise from making new Treasons, and other Arguments to that effect. But tho' hardly any notice was taken of the first Amendment, it was in course to be first put. And now comes the great Art and Parliamentary Skill of those Persons that were against the second Amendment: They resolv'd, (according to the most usual piece of Management in that House) to try their Numbers, by dividing upon the first. But that was so little thought to be the Business of the Day, or indeed of the first Division it self, that two or three

Septemb,

stanch old Members went out just before the Division, having some particular Views at that time, which made it inconvenient for them to declare against the Protestant Succession. And those of their Friends who staid the Division, and whose Names are set forth in the Printed Test, under the Title, *No's against agreeing with the Lords*, may strictly and properly be said, in Parliamentary Language, to have divided against the Amendments; the rather, because few Instances can be given that ever the weaker side, upon losing such a previous Question, divided again upon any subsequent Clause, that had been mix'd in the same Debate.

But I believe there's no body alive that does not think, if they had thrown out the first Amendment, they would immediately have proceeded to throw out the second: And there were two Circumstances attending this Affair, which must needs put it out of all doubt, how it was understood both Abroad and within the House. Mr. Dyer, the common News-writer, express'd himself thus in his Letter to Chester upon this occasion, *That the Prince of Wales had lost it in the House only by one Vote; or, that the House of Hanover had carry'd it but by one Vote*: One of them I am sure it was, for which he was punish'd by the House, upon the Complaint of a Member for that City. And to shew what the Members thought of it, the only Gentleman that gave a Negative to the first Bill for establishing the Protestant Succession, who was then of that House, tho' soon after call'd up to the other, saluted Sir M—— Dud——y, when this Division was over, in these words, *How fare ye, Mynbeer D——y?* upbraiding him by that Expression for having voted for the Interest of the House of Hanover, which the late King and the Dutch had espous'd: To which the other reply'd, *Fort bien, Monsieur Gran——lle*, alluding by that to his Vote, which he took to be for the French Interest, as well as to his French Name, which had been chang'd not many years before from a plain English one, as it is still Printed in the History of the Earl of Clarendon.

If I should say therefore, that these Gentlemen were not for throwing out the second Amendment, it would perhaps be a Logical Truth, because they did not just divide upon that Clause: But it would be a Moral Lye and a Fallacy, that I ought to be asham'd of, because every Step they took that Day was in order to throw it out; and they went the best way to work that they cou'd. So that after all the Clamour which

has



has been rais'd against the TEST before-mention'd, *Septemb.*  
 since that Paper does not affirm, that the Division was  
 upon this Clause; but that *after Debate, the Question*  
*being put for agreeing with the Lords in these Amend-*  
*ments,* the House divided, as actually they did: It is  
 left to every impartial Person, who knows any thing  
 of Parliamentary Proceedings, to determine whether  
 the Charge which is set forth against them in that Pa-  
 per stands good or not; and whether they shew'd up-  
 on this occasion the same Abhorrence of the Preten-  
 der, and the same Zeal for the House of Hanover,  
 which has sham'd out indeed in their late Addresses;  
 but which (if one may use the Expression of a very  
 great Minister in another Nation) has rather amaz'd  
 than convinc'd the World.

On the 21<sup>st</sup> came out Her Majesty's Proclamation *Parlia-*  
 for dissolving the Parliament, and so discharged their *ment dis-*  
 meeting on the 26<sup>th</sup>, pursuant to the Prorogation, and *solv'd, 21.*  
 the same Day, viz. the 26<sup>th</sup>, came out another for cal-  
 ling a new Parliament, the Writs to bear date the 27<sup>th</sup>  
 instant, and to be returnable the 25<sup>th</sup> of November. At *New Par-*  
 the same time a Proclamation was issued out for electing *liament*  
 and summoning the sixteen Peers of Scotland. *call'd, 26.*

We have not omitted to observe before, that Her Ma-  
 jesty having appointed *Richard Earl Rivers* her Envoy to *E. Rivers*  
 the Court of Hanover, his Lordship arriv'd there on the *arrives at*  
 18<sup>th</sup>, and was conducted the next day in one of the Ele-  
 ctor's Coaches to *Herrenhausen*, where he had Audience *Hanover,*  
 of that Prince and the Electress Dowager, and after-  
 wards of the Electoral Family; but he declin'd all Cere-  
 monies, and did not take upon him the Character of  
 the Queen's Envoy Extraordinary. His main Business *His Nego-*  
 was, to assure their Electoral Highnesses of Her Maje- *ciations*  
 sty's firm and unalterable Resolution to cultivate a good *there, 18.*  
 Friendship with them, and secure more and more, if  
 possible, the Succession of the Crown to that Illustrious  
 Family. The Compliment was receiv'd with all possi-  
 ble Civility and Respect; and to obviate all ill Reports,  
 which were very rife at this time, as if the Elector was to  
 command the Army for the future, and the Electress  
 Dowager to be invited into *England*, we had it from  
 Publick Authority, that his Lordship did not then, nor  
 afterwards, make any mention of the Command of the  
*British* Forces, nor of any such Invitation to their High-  
 nesses.

Septemb.  


March of  
 the Confe-  
 derates in  
 Flanders, &

From hence we will pass into *Flanders*, there the *Allies* having resolv'd to enlarge their Conquests by another Siege, since the Enemy would give them no manner of Opportunity to fight tem; They pitch'd upon the Siege of *Aire* and *St. Venant*; the first of which stands upon the *Lys*, 25 miles South of *Dunkirk*, 28 N. W. of *Arras*, and 26 East of *Boulogne*: The latter is about four miles distant from the other, 26 South of *Dunkirk*, and as many North of *Arras*. In order to this, the Armies on the 2d march'd from their respective Camps of *Villers-Brulain* and *Rebrouwe*, and Prince *Eugene* extended his Right to *Etrie*, *Blanche*, and *Linghen*, on the little River *Lagnette*, and the Left of the Duke of *Marlborough* to *Divion* on the *Love*. On the 3d there was a Detachment made, to secure several Posts about *Aire*, which took, in the Castle of *Isbergue*, a Captain, a Lieutenant, and 79 private Centinels Prisoners, besides a whole Company of Foot in the Village of *Lambre*. On the 4th, a Detachment of 2000 Horse and 6 Battallions march'd from the Camp, to make Bridges over the *Lys* at *St. Quintin*, to pass that River, and block up *Aire* on that side, while the Armies march'd nearer to the Place, encamping the Right of the Prince of *Savoy* to the *Lys*, near *Perrouanne*, and the Left of the Duke of *Marlborough* to *Lillers*, the former taking his Quarters in the Castle of *Blesfel*, and the latter in the Monastery of *St. Andre*. The Troops employ'd in the Siege of *Bethune* join'd the grand Armies in their march.

The Troops design'd for investing *St. Venant* and *Aire* march'd the 5th, and invested those Places on the 6th, 20 Battallions being appointed to besiege the first, under the Command of the Prince of *Nassau Friezeland*, who had under him two Lieutenant-Generals, four Major-Generals, and four Brigadiers; and Forty Battallions for the last, under the Command of the Prince of *Anhalt*, who had under him four Lieutenant-Generals, eight Major-Generals, and eight Brigadiers. The Horse for the Service of those two Sieges, consisting of Forty-six Squadrons, commanded by the Earl of *Albemarle*, one of the Generals of the Dutch Cavalry, having under him two Lieutenant-Generals, four Major Generals, and four Brigadiers. The heavy Artillery and Ammunition to be made use of in those Sieges being order'd to be brought up the *Lys* to *Merville*, near *St. Venant*, and a good Guard of Horse and Foot appointed for the Security of the Boats.

The Approaches of *St. Venant* being very difficult, they could not break Ground before that Place till the 16th; but the Attack was carry'd on with so much vigour, that

on the 29th, the Garrison beat the Chamade, and the next Day deliver'd up a Gate, having obtain'd to march out with Arms and Baggage, and other Marks of Honour, but no Cannon, and be conducted to Arras, for which indifferent Defence the Governour, at his Arrival at Versailles, was committed to the Bastile; and the Sieur Boyn, one of the States General's Engineers, who had the Direction of the Siege, had the Government of the Place.

Septemb.  


Surren-  
 dred, 27

The Trenches before Arras were open'd on the 12th, at two Attacks, one on the side of St. Quentin, and the other on the side of the Village of Lambre, which were carry'd on with a great deal of Success, notwithstanding the difficulty of the Ground, and the Defence of the Garrison. On the 20th, the Allies attack'd a Redoubt on the Right, and took it with little Resistance and Loss. The Enemy sent a Body of Troops the same Day to retake it; and a great many Officers, who were then at Dinner with Monsieur Goersbriem the Governour, came out with them as Volunteers; but as they pass'd under the Fire of the Allies Batteries and Parallels, the greatest part of them were either kill'd or wounded, and they took a Colonel of Dragons Prisoner.

Aire be-  
 sieged by  
 the Allies  
 12.

On the 23d, after they had lodg'd themselves in the Fore Ditch on the Left and within few Paces of it on the Right, the Enemy fall'd out with 400 Fusiliers, and 200 Workmen, but were repuls'd with the loss of 40 Men kill'd on the spot, and did the Allies no manner of Damage. The same Day there happen'd a vigorous Skirmish near the Village of Rebert, on the other side of the Lys, the Enemy having advanc'd with 1000 Horse, to beat up the Quarters of the General Officers of the Right in the said Village, but were so warmly receiv'd by the Guard that cover'd the same, that the Piquet having had time to come up to their Assistance, 430 of them were kill'd on the spot, and 12 Officers, with 220 Troopers, all mounted, taken Prisoners, besides 200 Horses without Riders, without any other loss on the Allies side than 40 Men kill'd and wounded.

On the 26th, a Misfortune happen'd to our Convoy between Dainse and Courtray, though not so great as the French gave out, for the Boats with Corn and Meal were preserv'd, and 100000 Pound weight of Gunpowder, which was thought to have been blown up with the rest, was left at Ghent. They had 200 kill'd, and 600 taken Prisoners, who were afterwards exchang'd at Ipres for the like number, and sent back to their respective Regiments. To prevent the like attempt for the future, 22 Squadrons and 9 Battalions went to encamp at St. Eloy

French  
 surpris'd  
 the Alli'd  
 Convoy, &



Septemb.  


*Vive*, and the Country People were summoned to weigh up the Boats laden with Bombshells and Balls, which the Enemy sunk in the *Zys*; At the same time another Detachment of 1500 Horse and 1000 Foot marched to go and encamp at *Warneton*, to secure their Convoys from *Lisse*.

Having brought this Siege to the end of this Month, we shall for the present proceed from the Camp to the Court at the *Hague*, where the Neutrality of the Empire was not yet fully settled, because the *Danes* had not receded from some Exceptions; and the Czar insisted on an absolute Guarantee to be given by the High Allies, that the *Swedish* Troops in *Pomerania* should not retire into *Poland*, nor invade any Dominions of the Kings of *Poland* and *Denmark*; and the *Muscovite* Ambassador at the *Hague* presented a curious Memorial to the States on that Subject; and his Minister presented likewise about the same time a Memorial to the King of *Prussia*, tending to the same Effect, but insinuated in more plain Terms, That the Duke of *Holstein* had promised to put some Troops into the Service of the *Swedes*, which that Prince resented so much, that he ordered his Resident at the *Hague* to declare to the Great Pensionary and the Ministers of the Allies, That this Insinuation was altogether false, and seemed only designed for a Pretence to colour a Design of the *Danes* to quarter some Troops in their Dominions, and therefore desired the Guarantees of the Treaty of *Altona* to take that Affair into Consideration. In the interim the Czar continued his Conquests in *Livonia*, and the Town of

Czar takes  
 Pernau.  
 Kexholm  
 and Arens-  
 bourgh  
 surrendered  
 to the  
 Czar.

*Pernau* was obliged to follow the Example of *Riga*, and submit to that Prince, who sent a Detachment to besiege *Kexholm* in *Finland*, which surrender'd upon Capitulation the 19th; and another Army to besiege *Reuel*, the only Place the *Swedes* were possess'd of in *Livonia*. And *Mons. Arnheim*, Major of the Regiment of *Rostoff*, having been sent to the Island of *Oesel* with 200 Foot and 70 Dragoons, had likewise oblig'd the Town and Fort of *Arensbourg*, to submit to the Obedience of the Czar the 14th. The Artillery and Stores found in those Places, were as follows, viz. At *Kexholm*, 32 Brass Cannon, and 1 Mortar; 46 Iron Cannon, and 3 Mortars; 30 Barrels of Powder; 36 Bombs; 1770 Bullets, of from a Pound and half to 24 Pound; 1800 Grenadoes, of six Pound, and 2600 of three. At *Arensbourg*, 66 Cannon on the 4 Bastions of the Fort, with their Carriages; 136 Bombs, 3000 Grenadoes; 210 Barrels of Powder; 700 Gabjons; a good number of Musquets, some of them new,

new, and some unserviceable, with other Ammunition.

Septemb.

We shall not meddle with the Contest at the Port, about Precedency between the *French* and *Moscovite* Ambassadors, which was given in Favour of the former, but proceed to shew, That the Affairs of the *Malecontents* in *Hungary* declined apace, and they were at last forced to surrender the important Fortress of *Neuheusel*, on the following Terms of Capitulation. I. That a General Pardon shall be granted to all the Inhabitants of *Neuheusel*, &c. but as to their immoveable Goods or Estates, they shall be at the Disposition of the Emperor. II. That all the Townsmen shall be free to remain in the Place with their moveable Effects, without having any taken from them; and that the Officers and Nobility with their Arms, and the Soldiers without Arms, shall be conducted to a Place of Security, with a Guard and Passports, provided they carry nothing out with them but what is their own. III. That Deserters shall be pardon'd, and allow'd either to retire or to stay. IV. That the Inhabitants shall be left in the Condition they were before the Rebellion. V. As to the releasing of Prisoners, some reasonable Agreement shall be made. VI. That the Place shall be surrender'd to His Imperial and Royal Majesty, with all the Ammunition, Artillery and Provisions; to which end a Gate shall be deliver'd to the Imperialists next Morning at 7 a-Clock, and all the hidden Powder and Mines shall be discover'd, together with whatever else may be hurtful. VII. That the Garrison shall be oblig'd to repair the Place, and to pay 8000 Florins for all Damages. VIII. That the Garrison, at their marching out, shall be furnish'd with 30 Waggons,

Capitulation of Neuheusel surrendred to the Imperialists. 23.

Done in the Camp before Neuheusel, the 23d of September. 1710.

If in our way hence to *France*, we shall touch at *Triers*, there on the 24th we shall find the Chapter assembled at *Coblentz*, elected for Coadjutor to their Bishop and Elector, a Prince of *Lorain*, Brother to the Duke of that Name: Who being already Bishop of *Olmütz* and *Osnabrug*, must have a great Interest in the Empire, after the decease of the present Elector of *Triers*. This Election to the Coadjutorship of *Triers*, which had been long in Agitation, and met with strong Oppositions; was at length carry'd according to that Prince's Desire.

Bishop of Osnabrug chosen Coadjutor to the Elector of Triers, 24.

They were all this while in *France* putting the best gloss they could on the Affairs of King *Philip*, after the Battle of *Saxagossa*; and were pleased to tell us, That from the

*Septemb.* the 24th of August, when the Catholick King arriv'd at *Madrid*, he continually applied himself to furnish the Army with Money and Provisions, and to re-inforce it with fresh Troops. That he sent to it a Battalion of Guards which was left at *Madrid*, and order'd 5000 detach'd Men from *Andalusia* and *Estremadura*, to march to it: Which was executed with all possible Diligence. That the Consular of *Sevilla* had offer'd the King Three Hundred Thousand Crowns, and that *Andalusia* had made a Present of Seven Hundred Horses. That 18 Cannon sent from *Badajoz* to supply the room of 7 lost in the Battel, in which the *Spaniards* had but 12, were arriv'd at *Avila*, within 15 Leagues of *Madrid*. That these Orders being given, the King thought fit to Conduct the Queen and the Prince to *Valladolid*, the ancient Place of Residence of the Kings of *Castile*; and that afterwards we found she went to *Vitoria*. That he had caus'd this Resolution to be communicated to all the Councils, declaring, That he oblig'd none to repair thither for the Dispatch of Business, but those whom their Health or the State of their Affairs would permit to attend him; notwithstanding which, not one single Officer of all the Tribunals would accept that Dispensation. That all the *Grandeess* shew'd the same Zeal, without excepting either those whose Age or Indispositions might have detain'd them at *Madrid*, who had no part in the publick Administration. That the Marquis de *Bay* was gone to encamp in the Neighbourhood of *Aranda de Duero*, on the high Road from *Burgos* to *Madrid*, in a part of the Country very proper for re-establishing the Cavalry, and where the Troops he expected were to joyn him.

These and other particulars they were pleas'd to Communicate to us, the Allies at first made slight of; but the Event shew'd, that the *Castilians* were much more zealously affected to *Philip* than could have been wish'd for. However,

Let us on the other hand hear what Account his Competitor King *Charles* gave of the State of his Affairs; which was to this effect: That in a Council of War held at *Calatayud* on the 4th, at which were present the King of *Spain*, the Count d'*Assumar* Ambassador of *Portugal*, the Prince of *Lichtenstein*, Marshal *Staremberg*, General *Stanhope*, General Count de la *Puebla*, General *Belcastel*, General *Franchenberg*, General *Carpenter*, and General *Wills*; His Catholick Majesty ask'd their Opinions upon these four Points: First, whether the Army had best to march into *Castile* or into *Navarre*: Secondly, if they should give their

French  
Account  
of the Spa-  
nish Af-  
fairs.

H. Charles  
his Ac-  
count of  
the State  
of his Af-  
fairs in  
Spain.



their Opinion for advancing into *Castile*, whether it was practicable to maintain the Army, and especially the Horse, as being a Country wherein it would be very difficult to get all Necessaries? Thirdly, since Admiral *Norris* was then at *Barcelona*, in a Readiness to do Service to the common Cause, whether he might not be employ'd to reduce the Kingdom of *Valencia*? What Forces he could take on Board? And fourthly, What General Officer should have the Conduct of that Enterprize? As to the last Points, they agreed in the main, that the Enterprize of reducing the Kingdom of *Valencia* ought to be gone about in the most speedy and effectual manner: But as to the first and principal Point, all the Ministers and Generals declared their Opinion, That the Army ought to march into *Castile*, directly to *Madrid*, presuming this would be making the best Advantage of the Confusion and Disorder the Enemy were in; that they well hoped to find Provisions sufficient; and that to dispose the People to submit themselves, and give them all Assistance, and to take off the Impressions the French had made on their minds, the King should write to all the Magistrates and Councils at *Madrid*, inviting and encouraging them to embrace his Interests. To this General *Stanhope* added, that after the taking Possession of *Madrid*, it would be highly requisite, for cutting off the Communication 'twixt France and Spain, to turn their March to *Navarre*, as well to shut the Gate on that Side against France, as to open a Correspondence directly by Sea with England, whence they might expect to be speedily supplied from time to time with all Succours and Stores of Provisions, Count *Staremberg* agreeing entirely with the rest of the Ministers and Generals, express'd his particular Approbation of General *Stanhope's* Proposition of the said march for *Navarre* to the 'foresaid Purposes: And added, that in the mean while it was necessary to maintain a good Garrison in *Gironne*, and to provide in the best manner for its defence, that it might stop the Enemy's Passage into *Catalonia* from *Roussillon*; also that it was necessary to lay Blockades to *Lerida*, *Monson*, *Mequinenza*, and *Tortosa*, which 'twas likely would oblige those Places to yield for want of Subsistence.

The King having heard them all, deliver'd his own Opinion, to this Purpose, viz. That it was certainly of the last Importance to pursue the Enemy without Loss of Time, and to cut off their Communication with France; that the long March from *Saragossa* to *Madrid* might give the Duke of *Anjou* Opportunity to carry off what he pleas'd from thence, and to oblige the *Grandeess*, the Councils,

R. Charles  
was for going  
ing to Ma-  
drid.

*Septemb.* and all Persons of Distinction and Wealth to leave that City, whereby the Hopes of all the Generals to maintain the Army would be in very great measure frustrated; but that remembring what had formerly pass'd, with respect particularly to the unanimous Opinions of the Ministers and Generals, he absolutely consented to go to *Madrid*. This done, his Majesty set out for *Madrid*, where he arriv'd on the 28th; and what afterwards hapned, may occur to us in a more proper place.

If in our passage Home we should take *Newfoundland* in our way, we shall bring the following Account along with us of the Transactions in those parts.

*Success of  
the English  
at New-  
foundland.*

*St. John (in Newfoundland) Sept. 19.*

**M**ost of the *French* Ships in these Parts, are taken off of the Banks, and several burnt and destroy'd, with their Harbours and Fish. 'Tis believ'd they have lost near Fifty Sail of Ships this Season, and most of them of considerable Force. Her Majesty's Ships the *Portland* and *Valeur*, had the good Fortune, in their Passage to *Newfoundland*, to take two very rich Prizes, valued 30000 *l*. Some of the Gallies have taken abundance of Prizes; but for our Part, we came in at the latter end, which I hope will turn to good Account. I have here sent you some Particulars, which cannot but be acceptable. *P. S.* Her Majesty's Ship the *Valeur* was unfortunately surpriz'd and taken in the Harbour, by the *French*.

*An Account of the Proceedings of Her Majesty's Ships the Rochester, Capt. John Aldred, Commander; the Severn, Capt. Humphry Pudner; and the Portland, Capt. George Purvis; against the French, in the Northern Fishery in Newfoundland, in the Year 1710.*

| Harbours Names.    | When.    | French Ships Names.  | M.n. | Guns. | Tons. | Taken.  |
|--------------------|----------|----------------------|------|-------|-------|---------|
| La Couche          | Aug. 24. | La Comtesse d'Evreux | 75   | 16    | 200   | Taken   |
| ditto              | ditto    | La Couronne          | 70   | 14    | 200   | Burnt   |
| Carouze            | ditto    | Le Marquis du Bray   | 120  | 28    | 400   | Taken   |
| ditto              | ditto    | Le Comte de Bonrepos | 120  | 23    | 400   | Burnt   |
| ditto              | ditto    | L'Aigle Noire        | 70   | 12    | 200   | Taken   |
| Petit Maltre       | ditto    | Francois Marie       | 80   | 18    | 250   | Taken   |
| Great St. Julien   | Aug. 25. | Francois de la Paix  | 120  | 30    | 400   | Taken   |
| Little St. Julien. | Aug. 24. | St. Pierre           | 90   | 20    | 290   | 'scap'd |
| ditto              | ditto    |                      | 30   | 12    | —     | 'scap'd |

All the Fish, Oyl, Stages, Train-Fatts, Fishing-tackle, &c. of the above-mentioned Ships fell into our Hands, and were either taken or destroy'd by us; and the two Ships which escaped, left even their Anchors and Cables.

Cables, and some of their Sails behind. Dated on board *Septemb.*  
Her Majesty's Ship the *Rocheſter*, in *Carbounier*, *Sept. 12.*  
1710. The *Valeur* is ſince taken.

All the Buſtle now in *England* was about Elections of Members of Parliament, wherein no Scandal was omitted by either Party, in order to carry their Points; and the *High-flyers* printed, by way of Bill, about the time of the *Middleſex* Election, theſe Words:

*Joyn Churchmen, joyn, no longer Separate,  
Leſt you Repent it when it is too late.  
Low-Church is No Church.*

It had been an uſual Practice, and the new Miniſters did not now think it improper to make uſe of it, that upon the Choice of a new Parliament there ſhould be a new Lieutenantancy of the City of *London* conſtituted, wherein a few *Diſſenters* were admitted, ſcarce any *Low-Churchmen*, the reſt were *High-flyers*, and had a very great Majority. I think there is ſcarce any thing more remarkable in the courſe of this Year, than the Addreſs of theſe Gentlemen, which they with the Lord Mayor at the head of 'em, preſented to Her Majesty at *Hampton-Court*, in theſe words;

*To the QUEENS moſt Excellent Maſteſty.*  
The Humble Addreſs of the Lord Mayor, and the reſt of  
Your Maſteſty's Commiſſioners of Lieutenantancy for the  
City of *London*,

Dread Sovereign,

NO ſooner did We find our Selves honoured by Your Royal  
Commiſſion, but we unanimouſly reſolved to crave leave  
humbly to proſtrate our Selves before Your Maſteſty, to aſſure  
You, that our Fidelity to Your Maſteſty ſhall ever remain moſt  
Firm and Inviolable.

*New Lieutenancy's  
Addreſs.*

We ſhould be utterly unworthy of that Truſt which you have  
been pleaſed to repoſe in us, were we not fully determined to  
employ thoſe Arms which your Maſteſty has put into our Hands,  
for the Defence of your Royal Perſon and Prerogative.

We own your Right to be Divine, your Perſon Sacred, and  
your Throne to be Hereditary, and will be always prepared to  
hazard all that is dear to us in Defence of your Crown, againſt  
the Inſolence of any Faction at Home, and the Deſpicable Me-  
naces of a Pretender Abroad.

The Primitive and Apoſtolicall Doctrines and Precepts of  
our Pure and Undeſiled Mother the Church of *England*, we  
will



*Editor.* will observe, Support, and Defend, in Opposition to Popery and the one Hand, and Fanaticism on the other; however with a tender Regard to those truly Conscientious, who quietly enjoy their Liberty without disturbing her Peace. And we are firmly resolved to maintain, to the utmost of our Power, the Protestant Succession in the most Illustrious House of Hanover.

And as we cannot omit to Congratulate your Majesty on the great and uninterrupted Successes, with which it hath pleased the Divine Goodness to bless your Majesty's Arms, and those of your Allies Abroad: So we do, with equal Joy and Gratitude, reflect on the Wisdom of your Councils at Home, so greatly tending to the Ease, Satisfaction, and Welfare of your People, and the Preservation and Maintenance of our most Excellent and Happy Constitution.

May the Almighty, as a Reward of your Majesty's Piety, yet vouchsafe such further Successes as may procure the Blessings of a lasting Peace. And may your Majesty long Live and Reign in the Hearts of all your People.

To which Address Her Majesty was pleased to return the following most Gracious Answer.

**I** Thank you heartily for this Dutiful Address; and take this Occasion to recommend to you that part of your Duty, the Preserving the Peace of the City.

I also desire you, as you have great Fortunes of your own, that you will use your Endeavours to Support the Publick Credit.

*Gazette  
changes  
the Word  
Divine in-  
to Indefe-  
zable.*

*Endea-  
vours to  
binder Sir  
G. H. from  
being Lord  
Mayor.*

I know not whether it caused more Indignation or Laughter in the opposite Party, to see the Words *Divine Rights* put into the first line of the third Paragraph; for so the Lieutenantcy both delivered and printed it, but when the same came to be put into the *Gazette*, the Court shew'd more modesty, and turn'd the Word *Divine* into *Indefeazable*, a Law-term less understood and bogg'l'd at, with which the *Whigs* twitting the *Highflyers* in the Teeth, the Excuses, when they pretended to make any, were so weak, that they are not worth repeating.

However, in the Elections, they usually carry'd their Point with a high Hand, and it were to be wish'd, for their Sakes, they had been managed with less Insolence and Tumults: The first tryal of Skill in the City of London, was, to endeavour first to postpone Sir Gilbert Heathcote, the next Alderman below the Chair, from being Lord Mayor; but not being able to carry that, the *Whigs* grew so uppish upon it in the City, that they made no doubt of carrying all their Four Members, but were

were egregiously mistaken: The Election was very Tumultuous, and the Mobility and their Abettors more rude than ever was known since the latter part of King Charles's Reign, when it was the Fashion for Citizens to promote the Surrendry of their own Charters.

This is so ungrateful a part, that I heartily wish I never had occasion to mention it; no more than that intolerable Affront to the Chief-Magistrate of the City on the Lord Mayor's Day, when the People, instead of Acclamations of Joy as usual, Hiss'd the new Lord Mayor; a thing not known in the Memory of any one living, and perhaps beyond all Example.

New Lord  
Mayor  
hiss'd.

As for the Alterations made in publick Posts, some time towards the beginning of this Month, Her Majesty was pleas'd to appoint His Grace James Duke of Hamilton to be Lord-Lieutenant of the County Palatine of Lancaster, in the room of James Earl of Derby.

D. Hamilton made  
L. Lieutenant of  
Lancashire

Much about the same time the Honourable Francis Roberts, lately one of the Tellers of the Exchequer, was, by Her Majesty, made one of the Commissioners of the Revenue in the Kingdom of Ireland, in the room of Mr. Connelly.

Sir S. Harcourt made  
L. Keeper

On the 18th Her Majesty was pleas'd to deliver the Great Seal into the Custody of Sir Simon Harcourt, Kt. with the Title of Lord-Keeper of the Great Seal of Great Britain, and Sir Edward Northey was made Attorney-General in his room, a place wherein he had serv'd before, both in the late and this Reign, with great Applause.

About the same time the Earl of Berkley kiss'd Her Majesty's Hand for being Lord-Lieutenant of the County and City of Gloucester, of the City of Bristol, and Warden of the Forest of Dean.

The Bishopricks of St. David's, and Bristol having been Vacant for some time, by the Death of Dr. Bull and Dr. Hall, Her Majesty thought it now fit to fill them up by preferring Dr. Philip Byss to the former, and Dr. John Robinson, Dean of Windsor, to the latter: In like manner Thomas Earl of Wharton having (some time since) resign'd his Commission of Lord-Lieutenant of Ireland, James Duke of Ormond was appointed to succeed him in that great Office: Now it was also that Sir Simon Harcourt Lord-Keeper of the Great Seal of Great Britain, Arthur Earl of Anglesea, and Henry Lord Hyde, were Sworn of Her Majesty's most Honourable Privy-Council; and then also Robert Raymond, Esq; Solicitor-General, received the Honour of Knighthood.

Dr. Byss  
& Dr. Robinson made Bps. of S. David's & Bristol.

There

October.

Airs Siege  
prosecuted

7.

10.

11, 12.

13.

15.

Besieged  
Salkey.

16.

There was such a Combustion all this time about Elections, that a sober Man would be glad to be out of the noise of them, and therefore passing over again into the *Netherlands*, let us come to the Particulars of the Siege of *Airs*, where the Allies on the 7th having carry'd on their Approaches towards another Redoubt, which covers the Causey of *Besbune*, took the same Sword in Hand, and began to batter the *Bastion* of *Arras* with eight Pieces of Cannon; but the Weather being very bad, prov'd a great hindrance to the Siege. On the 10th, their Lodgments on the first Ditch on the side of the *Lambre* were joyn'd; and they had several Saps ready to open for the making of their Descents, and filling up that Ditch; one of which Saps being pierc'd too deep, let the Water into their Works, and prevented the pursuing their Design at that time. They spent the 11th and 12th in repairing their damage, and advancing a Lodgment along the first Ditch on the side of *St. Quintin*, from the Salliant Angle of the *Ravelin* before the Gate of *Arras* to the *Medieyne*, and prepared to make the Descents, and fill up the first Ditch, from which they were drawing off the Water by several Drains, after having rais'd two new Batteries, one of 15 Pieces of Cannon, to batter the *Ravelin* and the *Bastion* of *Arras*, and the other of 10 Mortars, to gaul the Enemy in the cover'd way and the *Fleche*.

On the 13th, at Night, they began a Bridge over the first Ditch towards the two *Fleches*, at the Attack of the side of *Lambre*; and though the Enemy set Fire to that on the Left, those two Bridges and a third were finish'd the next Night, and about three in the Morning they pass'd the first Ditch, attack'd the two *Fleches*, and made a Lodgment on that of the Right: They also began one on that of the Left, but Day coming on before their Men could finish it, they were forc'd to retire. On the 15th at Night they finish'd a fourth Bridge, attack'd the Enemy again in the *Fleche* on the Left, beat them out of it, and made a good Lodgment for 100 Men. The Enemy sent out eight Companies of Granadeers to dislodge them, but were repuls'd with great loss. They sally'd out upon them a second time, but finding the Allies prepar'd to give them a warm Reception, retir'd without attempting any thing; whereupon they began four Descents for four Bridges more, and erected a new Battery for two Mortars and four Hawitzers, which fir'd on the 16th into the Cover'd way of the *Ravelin*.



The 17th, 18th and 19th, were spent in perfecting their Bridges over the Fore Ditch, and they carry'd on several Saps from their Lodgment on the other side, within a few Paces of the *Palisades*, and on the side of *Nesredame*, and made a Lodgment on the Angle of the Cover'd way, with the loss of 300 Men.

08. 1710

~~~~~

11. 1710

12. 1710

13. 1710

14. 1710

11.

12.

13.

14.

15.

Another Sally. 23.

24.

25.

26.

On the 21st at Night, notwithstanding the great Rains, they finish'd five Bridges over the Fore-ditch at the Attack of *St. Quintin*, at the Gate of *Arras*; but they had in that Service 160 Men kill'd and wounded, besides 82 wounded in the Trenches, and 36 kill'd. They lost likewise 18 other Men, by the blowing up a quantity of Powder, whereby a Major of a Brigade was wounded, with a Captain and an Engineer. At 12 at Night, the Prince of *Anhalt* went into the Trenches, to make the necessary Dispositions for attacking the Cover'd way, and had his Hat struck off by a Cannon-Ball; but it was thought fit to put off the Assault to another Day, and go on farther with their Approaches by way of Sap. At the Attack on the side of *Lambre*, the 22d, they forc'd the Enemy to abandon a Place of Arms near the Gate of *Nesredame*, where they erected a Battery of Four Pieces of Cannon, to ruin the Flank of the Bastion of *Thienne*, and the Communication between the *Ravelin* and Cover'd way, which made the Enemy abandon one of the Traverses in the Cover'd way.

On the 23d, the Enemy sally'd out upon them with all the Dragons of the Garrison; and having level'd some of their Works, retir'd into the Place with the loss of 60 kill'd, and 24 taken Prisoners; the kill'd and wounded of the Allies side being much the same in number. The 24th was wholly employ'd in making a Bridge over the Ditch of the *Ravelin* on the Left, which was carry'd on almost to the Foot of the Breach with little or no loss; but the Garrison having made a Cut through the *Glacis* near the Castle, by which they let in a great quantity of Water from the Inundation, into the Ditch of the Body of the Place, which overflow'd a great part of the Cover'd way, and spoil'd their Lodgments therein, the 25th was altogether taken up by the Besiegers in remedying that Disaster, by another Cut which they made to drain the Water out of the said Ditch, as fast as the Enemy could let it in.

On the 26th at Night, after a prodigious Fire, and another Sally from the Enemy, which cost the Allies many brave Fellows, among whom were several *Prussian* Officers of Note, they ceas'd at the Attack of the Gate of *Arras* all Hostilities on both sides, as if it had been by Consent;

October.



17.

Befiegers
make a
Lodgment
on the
Glacis. 28.

Allies
great Loss
in the At-
tack of the
Fletche, 30

November.

Ill Success
of the Be-
fieggers. 2, 3

and the Enemies Soldiers appear'd on the Parapets, and the Allies out of the Trenches discharging together, during which Interval, the French Officers, as well as Soldiers, were very inquisitive, whether the Conferences for Peace were renew'd, which shew'd, they had no manner of Intelligence of what was transacted abroad, and were weary of the War; but on the 27th in the Morning the Fire began again at Nine of the Clock, with as great Fury as ever, not without great Execution on our side.

The 28th at Night, Orders were given at the Arms Gate Attack, for the Confederate Soldiers to pass the Fore-Ditch, and lodge themselves on the Glacis, which were executed with no other loss than 48 Men kill'd and wounded, notwithstanding the Enemy was not wanting in their Salutes from their great and small Shot, on this hazardous Occasion. On the 29th, the Garrison endeavour'd to destroy their Bridges, by letting in great Quantities of Water into the Fore-Ditch, which did them some damage; which was repair'd the same Day, by Companies made on purpose to prevent the like Design for the future.

The 30th at Night they presented the most hardy among them, to signalize their Courage at the Attack of another Fletche on the Arms Gate side; and out of 500 Grenadeers and Fusiliers commanded for that purpose, not 100 return'd to bring the News of our Defeat: However, the Generals were resolv'd to carry the Post, and we made a good Lodgment for 150 Men on the first of November, after an obstinate Resistance from the Enemy, who disput'd every Inch of Ground with them.

The 2d at Night, the necessary Dispositions were made for attacking the two Angles of the Cover'd way, and the Place of Arms, and 800 Grenadeers and 400 Fusiliers were appointed for that purpose, who attack'd the Enemy with a great deal of Bravery; and tho' they were twice repuls'd, gain'd those Posts, and began to lodge themselves therein; but the Enemy springing a Mine over against the Ravellin, which blew up 100 Men, and taking out the same time with the greatest part of the Garrison, their Work-men were put into Disorder; and the Men were oblig'd to quit those Posts, which it was resolv'd thenceforward to make themselves Masters of by the Sap. On the third, they attack'd the Salient Angle before the Bastion of Thienne, with the like ill Success, for the Enemy made so terrible Fire, that we were oblig'd to desist from that Attack, and proceed likewise towards the Attainment of that Place by the Sap.

Their Saps were carry'd forward on the 4th, at the Attack of the Lambre, within a few Paces of the Salient Angle

Angle of the Counterscarp and Fletche; on the Right, with little or no loss, and the Bridge towards the Castle was considerably advanced. On the 5th, an Opening was made, in order to lay a Bridge in the Bastion of *Thiers*; And on the 6th, our Miners began to work at the Breach, the Bridge being finish'd, and got into the Gallery of a Mine; which ranged along the Rampart of the same. On the 7th, the Enemy quitted the Salient Angel of the Counterscarp before the *Redoubt* of the Gate of *Arras*; and their other Saps were so far advanced, as to oblige the Enemy to quit that part of the Counterscarp which they were still possess'd of; whereupon, they erected a Battery to enlarge and finish the Breach in the *Redoubt*. On the 8th, at Night, all their Saps were join'd; and the Besieged observing that all their Bridges would be finished in order, to storm the Place, they thought fit to prevent it by a timely Capitulation, in hopes to obtain more advantageous Terms, than if they should defer it. Accordingly, *Mons. Goshard*, the Governor, order'd his Men to beat a Parley at six in the Evening, and Hostages were exchange'd about Ten. The Besieged sent out a Brigadier, a Colonel, a Lieutenant Colonel, and a Major; and the Prince of *Anhalt* sent into the Town Four Officers of the like Quality. The former went on the 9th in the Morning to his Grace the Duke of *Mariborough's* Quarters, where the Capitulation was sign'd in the Evening; by which, the Town and the Fort *St. Francois* was to be deliver'd to the Allies, a Gate of each of which was put into their Possession the same Night, and the Garrison to march out on the 11th, and to be conducted to *St. Omers*.

The Substance of the Articles were as follows: The Gate of *Arras* immediately upon the signing the Articles, to be deliver'd to the Allies. All Hostilities to cease, and care to be taken to prevent any Disorder, from the Officers and Soldiers on either side. The Garrison to march out on the 11th, and to be conducted to *St. Omers* with the usual Marks of Honour, four Pieces of Cannon, &c. The Sick and Wounded to remain in the Town till their Recovery. The Garrison to be allowed six cover'd Waggon, Deserters to be deliver'd up, and Prisoners Exchanged. Hostages to be left for the Payment of the Garrisons Debts. A faithful Discovery to be made of all the Mines, and the Keys of the Magazines to be deliver'd up to the Allies. But the Garrison having been, upon the Solicitation of the Governor, who was in great Esteem with the Generals and States Deputies, on account of his gallant Defence, allowed a Day more than was agreed to by the Capitulation, to provide Carriages and other Necessaries; march'd out on the 12th. The whole Body

Refused
Capitulate

Articles
of Capitulation

October. consisted of 15 Battalions and 3 Squadrons of Dragoons, amounting to no more than 3028 Men, their Numbers being much diminished during the Siege, and 1500 Wounded left behind in the Town, besides those that were killed. As soon as the Enemy had evacuated the Place, the Count de Nassau Woldenburgh, one of the late Monsieur *Augustus* Sons, march'd into it with eight Battalions appointed for the Garrison; and nothing remained now for the Army to do, but to march into Winter-Quarters.

Now having done with the Operations of War in the *Netherlands* for this Campaign, we'll move Northward, and if we touch at *Hamburg* in our way, we shall not find the Tranquillity of that City yet restor'd, the Troops of the Circle of the *Lower Saxony* being still in Garrison there. However, as the *Lutheran* Minister *Krumholtz* had been the chief Author and Promoter of those Intestine Divisions, to the Ruine of so many of the Inhabitants, he was now brought to his Tryal, and Sentenc'd to be degraded of his Function, Condemned to pay the Charges of his Prosecution, and to remain a Prisoner all his Life in *Ribbusch*, a Place at the Mouth of the *Elbe*, belonging to that City.

Krumholtz
his Sen-
tence at
Ham-
burgh.

The *Danes* were all this while pretending their Troops were almost in a readiness to renew their Descent in *Schonen*, which they could not possibly effect; and that was as unexpected by some, as the Sea-fight, which now hapned between the *Danish* and *Swedish* Fleets, was by others; nevertheless, so it was, that the *Swedish* Fleet, consisting of 21 Ships of the Line of Battell, and 10 Frigates, set sail from *Carelsroon* the 1st Instant, and on the 4th in the Morning appeared in Order of Battell, with the Wind at South-East, before the *Danish* Fleet, which lay in the Gulf of *Koeg*, about four *Danish* Miles South-West of *Copenhagen*, and extending it self in compass from it, to the Entrance into the East-Sea. The *Danes* having no notice of their Approach, nor even of their being at Sea, till they were come in sight of them, were forced to cut their Cables; and having put themselves in a Disposition to receive their Enemies, as well as the sudden surprize would allow them, they endeavour'd to gain the Wind, so as to get between *Copenhagen* and the *Swedish* Fleet, whilst the *Swedes* (on the contrary) advanced with a Design to intercept them. This occasioned some Cannonading between the Foremost of both Fleets, and a *Danish* Ship of 90 Guns blew up. The *Swedes* gained their Point, but advancing too far towards

Sea-fight
between
the *Danes*
& *Swedes*,
4.

wards the Enemies Coast, 2 of their Flag-Ships, an Admiral and Rear-Admiral, struck upon a Sand-Bank near the Island of *Amack*, between which Island and that of *Saltsbøl*, *Copenhagen* is Situated. The *Danes* being thus disappointed, retired to their former Post before *Koog*, and the *Swedes* came to an Anchor off of *Amack*.

When they found there was no possibility of recovering their 2 Ships, they were employed all that Night, and part of the next Morning, in saving the Men, and what else they could remove out of them; after which, they themselves set fire to them, and they blew up within three or four Hours the one after the other. In the mean time the *Danes* fired upon them from some Mortars and Hawitzers, which had been sent from *Copenhagen* to the Sea-Coast for that purpose, but did them no Mischief. His *Danish* Majesty was there in Person, and saw one of the Ships when she blew up. The *Danish* Ship that was lost, was called the *Danebrog*, only four Men of all her Crew were saved. The *Swedish* Fleet continued at Anchor in the same Place that day, the Wind being still at South-East, and a strong Gale. They set fire to a small *Danish* Transport, that had likewise struck upon the Sand. Others of the Transports having driven themselves upon the Sands which lie between *Amack* and *Koog*, and being abandoned by the Sailors, the *Swedes* took some of them; and being Masters of the Entrance from the *Baltick*, took all the Transports that were coming from the East-Sea, some of which they fired, in hopes, as was supposed, the Wind would drive them upon the *Danish* Fleet.

Whatever the *Dane* lost in this Action, his Ally the *Muscovite* was in a most thriving Condition, he being now by the taking of *Revel* Master of all *Livonia* and *Finland*, while the King of *Sweden* remained still at *Fender*; from whence having no certain Account of things, we proceed now to *Vienna*, where the Imperial Court persisting in their Resolution, Not to grant the Exercise of Religion to the Reformed in *Silesia*, pretending that they were not included in the Treaty of *Westphalia*, and the Convention of *Alt-Randstat*, the Queen of *Great Britain*, out of Her Zeal for the Preservation of the Protestant Religion, order'd General *Palmes*, Her Envoy to the Emperor, to make new Instances in favour of that poor People; and the States-General order'd the *Sieur Brunynx*, their Envoy, to joyn his Good Offices with those of the *British* Minister; These Gentlemen presented a Joynt Memorial to the Emperor about that

October.



Affair, but the Affairs of the Court of Vienna upon the Point of Religion is scarce, when Circumstances are rightly consider'd, to be match'd. It's well England and Holland are engag'd in Interest to recover Spain to the House of Austria; were it not so, it would not do before *Græces Calendas*. On the other hand, the French King continued as obstinate for the Maintenance of the War as ever; the great Losses the French had sustained being not capable of mollifying his Heart, and sincerely to dispose him to Peace; seeing now he absolutely declar'd, That he was resolv'd to continue the War with more vigour than ever, or to use his own Words, *in good Earnest*, as if he had been hitherto Negligent and Careless. The Duke of Burgundy, according to some very good Advices, was absolutely for renewing the Conferences for a Treaty, and making Peace with the Allies, not thinking it reasonable that France should exhaust herself beyond the possibility of Recovery, for Maintaining King Philip on the Throne of Spain, which at last he must quit. It was therefore resolv'd, to make new Efforts for carrying on the War; and hence came several new Edicts for Taxes, and amongst others one, whereby the King appropriated to himself one Tenth Part of all the Incomes of his Subjects.

Since that, another Order came out, Requiring the Inhabitants of Paris to deliver to the Provost of Merchants, within Fourteen Days, an exact Account of their Incomes, with a particular Specification of the different Branches thereof, that they might be laid accordingly. The like was to be done in all the Provinces. It was believ'd, that the Court being contented with this new Tax, would not have augmented the other Duties, but they were soon undeceived; for few Days after came out another Edict, for augmenting the Taille for the Year ensuing, and bring it back to the same Foot as it was in the Year 1709.

The next thing was, the Suppression of Mint-Bills, which must occasion a world of Difficulties; for sinking the Mint-Bills and other Notes, besides which the French King created one Million of Livres in Annuities on the Town-House, at 20 Years Purchase, would sink twenty Millions, and compel the Farmers of his Revenues, and such as had been concerned in furnishing Provisions or other things in his Service, to purchase an Augmentation of Salaries of 1250000 Livres a Year at 20 Years purchase, which was a Tax upon them of 25 Millions of Livres; and this they must do upon the severest Penalties. But these unjust Proceedings may be

be called gentle and mild, if we compare them to the Methods used with such as had purchased Annuities in the Town-House. The Government had from time to time created such Annuities at different Rates, according to their Circumstances, some at 20 Years purchase, others at 18, others at 16, and others at 14 Years; and now the King publish'd a Declaration, Importing, That for reducing all the Purchasers to an equal Foot, he had resolv'd, that the said Annuities should be made up to 20 Years purchase, so that some must pay an additional Sum of 6 Years purchase, others 4, and others 2, by the highest piece of Unjustice that ever was by a particular Declaration.

But without dwelling any longer upon such Oppressive Doings; the Allies from *Piedmont* having been able to perform nothing of Consequence against *France* on the side of *Dauphine*, and breaking up in this Month for their Winter-Quarters in the *Milanese* and other parts of *Italy*; this gave the Duke of *Berwick* an Opportunity to send strong Re-inforcements of Horse and Foot to *Roussillon*, the Effects of which, the Allies will feel in time; Let us for the present take a short view of the Competitor-Kings in that great unweildy Kingdom.

Upon the motion of King *Charles* with his Troops towards *Madrid*, as before-related, King *Philip* rightly concluded, that that Prince intended to joyn the Confederate Troops in *Portugal*, and therefore immediately march'd from *Valladolid* to *Salamanca*, and from thence to *Placentia*, in order to secure the Bridge of *Almaraz*, and thereby prevent the Conjunction of the Portuguese with King *Charles*. This march was made with all possible Diligence, but yet King *Philip* did not arrive at *Placentia* till the 17th, so that the Portuguese might have march'd and joyn'd the Forces of his Catholick Majesty several Days before that time, if there had been no other Remora's to obstruct their march. This being a very important Article, we shall observe what they writ from *Lisbon* on that Subject, and some other Particulars which deserve to be taken notice of.

After the Battel of *Saragossa*, the Count d'*Assumar*, Ambassador of *Portugal*; with King *Charles* III. and the Count d'*Atalaya*, General of the Portuguese Troops in the Army of his Catholick Majesty, sent to *Lisbon* an Express, to represent to the King of how great Importance it was to the common Cause, that his Majesty's Army should advance towards *Castile*, and second the Efforts of King *Charles*: Whereupon the Count de *Wla-*

An Account of the motions of the Portuguese Army to favour K. Charles 3.

October,

was order'd to take the Field, which he did, and in his march wrote to the Army of his Catholick Majesty, that he would move to joyn them by the Way of *Menda* and *Truxillo*. He march'd first to *Barcarota*, and then to *Xeres de los Cavallos*; the last of which Places being of no Defence, he possess'd himself of it; and making the Garrison, consisting of 3 Colonels, 2 Lieutenant-Colonels, 2 Majors, 33 Subalterns, and 700 private Men Prisoners of War. That done, without attempting any thing further, he retir'd to the Frontiers, for which the Allies sufficiently blamed the General, and indeed, the whole Portuguese Nation; but they in their Justification alledged, their Horse was exceedingly fatigued with the Excessive Rains that fell continually for almost three Weeks, wanted all manner of Forage, and the Enemy had a Body of 4000 Horse, with 4 Regiments of Foot, and 7 Companies of Grenadiers to oppose them, and intercept all their Convoys from Portugal; so that it was thought proper to march back by the Mountains of *Olon*, the Ways in the level Lands being rendred so deep by the Rains, that it was found impracticable to pass them with their heavy Artillery.

At the same time came Letters again from the said Counts of *Assumar* and *Atalaya*, Solliciting that the Portuguese Army might advance to the Bridge of *Almaraz*: And these Letters were accompanied by others from General *Stanhope* to the Earl of *Galloway*, pressing to be joyn'd by him at *Almaraz*, where the said General would be with 4000 Horse; he also represented in the most urgent Terms, that this Junction was of the greatest Importance, his Catholick Majesty having been oblig'd to weaken his Army very much, by leaving Bodies of Troops in divers Places, so that 'twas judg'd neither safe nor proper for him to pursue the Duke of *Anjou*, who had retir'd precipitately into old *Castile*, to draw together what Forces he could.

Upon the Arrival of these Sollicitations and Remonstrances, all the Ministers of the Allies met at *Lisbon*, and agreed to make their joint Application to the King, that he would be pleas'd forthwith to cause his Army to march and joyn that of his Catholick Majesty: But the Ministers of that Court answer'd them, That the Junction propos'd, was utterly impracticable, not only because of the Perplexity given them by the 4000 Horse on the Frontiers, but likewise because the Portuguese Cavalry was in no Condition for Service, wanting all Necessaries. Another Letter came from General *Stanhope*, in which he desir'd, that at least he might

might

might be join'd by the Forces in Portugal that was in the Pay of the Queen of Great Britain. Whereupon the Ministers of the Allies renew'd their Sollicitations, arguing the indispensable Necessity of sending to Almdaz the Troops in Her Britannick Majesty's Pay, and pressing the Court to re-inforce them by only 1000 Horse and 3000 Foot; likewise *Mons. de Fours*, who since the Departure of the Earl of Galloway resided there as Secretary of the Ambassy of Great Britain offer'd to supply, on the Account of the Queen his Sovereign, the Provisions and Money necessary for the said March. To procure the speedier Answer, the said Ministers of the Allies went all in a Body to the Secretary of State, and had a Conference with him and the other Portuguese Ministers; but notwithstanding all the Arguments they could use, the Portuguese Ministry refus'd absolutely to comply with their Desires, excusing themselves from undertaking that their Army should do any more than make some Siege on the Frontier. However, the Ministers of the Allies not giving over yet, made fresh Application, and deliver'd in Writing a most earnest Remonstrance, to induce the Court to resolve upon the Junction propos'd.

Indeed, all that the Portuguese did upon this extraordinary occasion, or rather had done mostly, before the Junction of the Armies was so necessarily press'd, was to invade the Kingdom of Leon, and having first taken the Castle of *Carvajales*, they invested *Alcanises*, a fortify'd Town, and forc'd it to capitulate on the 17th. After the taking of which, a Detachment was made of Foot and Horse, with Orders to invest *la Puebla*, which was done accordingly; and having erected a Battery, the Commander beat a Parley, and propos'd to surrender in three Days, if not reliev'd; which being accepted, the Garrison marched out on the third Day, with marks of Honour, consisting of 150 regular Soldiers, and 2 Companies of Militia. This Town they reckon'd of great Consequence, because it not only secured the Blockade of *Miranda*, but in a manner cut off the Communication betwixt *Galicia* and all that part of Spain. The Marquis of *Risburgh*, who commanded in *Galicia*, and the Marquis of *Queluz*, who commanded at *Zamora*, gather'd some Troops, and made a Show as if they intended to relieve the Place, but thought it not convenient: But this last, by way of Diversion, march'd with 6 Battalions of Foot, and 2 Regiments of Horse to *Carvajales*, in order to surprize it; he order'd it to be assaulted on all sides, and after two Hours attack was shamefully repuls'd, leaving

Oct. 27.

leaving all his Scaling-Ladders behind him, and 80 Men killed, among whom were 3 Officers, besides 300 which he carry'd off wounded; among which was Brigadier *Pelomino*, 2 Lieutenant-Colonels, and 1 Colonel, who dy'd the next day; 6 Captains of Grenadiers, and 2 Lieutenants. Of the Portuguese side, only 1 Captain of Foot, and 12 common Soldiers were kill'd; a Lieutenant of Horse, and about twenty private Men wounded.

King *Charles* was most of that time encamp'd between *Madrid* and *Tolado*, which last Place had submitted to him, and the Allies took upon them to fortify the same, as being in an advantageous Situation, but at the same time we were inform'd, That they made some Dispositions as if they intended to retire towards *Aragon*.

'Tis certain, that the Communication between *Madrid* and *Barcelona* was so very difficult, that all the Couriers sent by King *Charles* had been taken, and this had oblig'd him to recall the Garrisons he had left in several Places in *Navarre*, and the Frontiers of *Castile*, to form a Flying Camp about *Saragossa*, and open and secure a Communication with *Catalonia*; but we shall find, to our great disappointment, that all his Pre-cautions would not do in a Country so very bare of Provisions, and at the same time so averse to his Interest.

Sir Christopher Musgrave Madellier of the Council.

But before we come to farther particulars, we'll return to our own Country again: Here on the 2d we find *Sir Christopher Musgrave*, Baronet, was Sworn one of the Clerks of Her Majesty's most Honourable Privy-Council in Ordinary, in the room and upon the voluntary Resignation of *Christopher Musgrave*, Esquire.

The 5th of *Novemb.* and the Thanksgiving-Day were observed with great Solemnity, the Clergy acting their parts suitable to their Inclinations: But tho' by this time the Artifice was carry'd so far as to infuse a pretty general Belief, that the Church had been in danger during the late Administration, it will not be unreasonable (let People believe as they please) to give the Words of a Learned Prelate in relation to this Affair.

Bp of Salisbury's Words about the Church's Danger.

**I have been now these 20 Years in a Station, and in Circumstances that has let me into the Councils and Designs of that sort of Men on whom these Suspicions, (viz. of Designs against the Establish'd Church), are fasten'd; and I do solemnly, as in the presence of God, declare, and appeal to him who knows all things, and knows too that I lie not, when I say, That I never heard or knew of any Designs against the Church, but much*

** Bp of Sarum's Sermon in the Cathedral of Salisbury, November the 5th, 1710.*

to the contrary; and that all the Forces now in the Kingdom, were only from the Principles of Humanity, Charity and good Policy; without any Design to weaken them, or to destroy, much less to destroy the Church.

It's some Satisfaction, that amidst all the Turmoil, Scandal, Uncharitableness and Infidelity of the Times, we yet find the Vice-Chancellor and Heads of the Famous University of Cambridge exert themselves in the Defence of the most Fundamental Point of all Christianity, by publicly expelling Mr. William Whiston, M. A. Professor of Mathematicks, for denying the Divinity of the Eternal Son of God, and openly propagating the *Arian Heresy*, to the great Scandal of Christianity, and Danger to the Youth Educated in that University. Mr. Whiston has the Character of a Sincere Honest Man; he retains his Professorship, which is officiated by a Deputy.

Now let us come to the opening of the new Parliament, who meeting on the 25th, and Her Majesty being come to the House of Peers, and seated on the Throne in Her Royal Robes with the usual Solemnity, a Message was sent to the Commons by Sir William Oates, Kt. Gentleman-Usher of the Black-Rod, requiring their Attendance in the House of Peers, whither they came accordingly. The Lord-Keeper then, by Her Majesty's Command, signified to them Her Royal Pleasure, That they should forthwith proceed to the Choice of a fit Person to be their Speaker, and present him to Her Majesty on the 27th. The Commons being returned to their own House, made Choice of William Bromley, Esq; to be their Speaker; who being presented to Her Majesty, seated on Her Throne in the House of Peers, Her Majesty was graciously pleased to approve the Choice of a Person so well qualified for that High Employment, and then made the following most Gracious Speech to Both Houses,

Parliament meets, and Commons choose Mr. Bromley Speaker.

My Lords and Gentlemen,

I Have, by Calling this Parliament, made appear the Confidence I place in the Duty and Affection of my Subjects; and I meet you here with the greatest Satisfaction, having no Reason to doubt, but that I shall find such Returns, as will add new Life to our Friends, and entirely disappoint the Hopes of our Enemies.

Queen's Speech in Parliament.

To this End I shall recommend to you what is absolutely necessary for our Common Safety.

The

November. The carrying on the War in all its Parts, but particularly in Spain, with the utmost Vigour, is the likeliest Means, with God's Blessing, to procure a Safe and Honourable Peace for us, and all our Allies, whose Support and Interest I have truly at Heart.

For this purpose, I must ask from you, Gentlemen of the House of Commons, the necessary Supplies for the next Years Service; and let me put you in mind, that nothing will add so much to their Efficacy as Unanimity and Dispatch.

I cannot without great Concern, mention to you, that the Navy and other Offices are burthened with heavy Debts, which so far affect the Publick Service, that I most earnestly desire you to find some Way to answer those Demands, and to prevent the like for the time to come. The Justice of Parliament, in satisfying former Engagements, being the certain way for preserving and establishing National Credit.

I am sensibly touched with what my People suffer by this long and expensive War, to which when it shall please God to put an End, the flourishing Condition of my Subjects shall be as much my Care, as their Safety is at present.

My Lords and Gentlemen,

The Eyes of both Friends and Enemies are upon you; The way to give Spirit to the one, and to defeat the restless Malice of the other, is to proceed in such manner as becomes a British Parliament.

I shall in the plainest Words tell you my Intentions, and I do this with the greater Satisfaction, because I depend upon their being agreeable to you.

I am resolved to Support and Encourage the Church of England as by Law Established:

To preserve the British Constitution according to the Union; And to maintain the Indulgence by Law allowed to Scrupulous Consciences.

And that all these may be transmitted to Posterity, I shall employ none but such as are heartily for the Protestant Succession in the House of Hanover, the Interest of which Family no Person can be more truly concerned for than my self.

These are my Resolutions, and your Concurrence with me in a steady Pursuit of them, will best manifest your Zeal for our Religion, for the Interest of our Country, for your own Safety, and for my Honour.

Novemb

The Lords having resolved an Address of Thanks to Her Majesty for Her Speech, Presented in the 29th; and the same run thus

The Lords Address of Thanks to the Queen 29. Oct. 1603

WE Your Majesties most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Assembled, present our humble and hearty Thanks for Your Majesty's most Gracious and Excellent Speech at the Opening this Parliament; and particularly for the great Confidence Your Majesty is pleased to place in the Duty and Affection of Your Subjects; and We conceive in such of the highest Importance, to carry on the War with Vigour in all Parts; and particularly in Spain; in order to Procure a Safe and Honourable Peace: And your Majesty may be Assured we shall Concur in all reasonable Measures to that End; And we humbly hope your Majesty's good Example will engage all your Allies to joyn with Your Majesty in doing their utmost to the same Purpose.

We have the Happiest agreement with Your Majesty in the several Resolutions You have declared; so plainly and affectionately to Your Parliament; And we think our selves obliged to repeat our Thanks for Your Majesty's great Care to transmit the Blessings of Your Reign to Posterity, by securing the Protestant Succession in the House of Hanover.

We cannot also but have a particular Satisfaction in the Assurances Your Majesty has given to Maintain and Encourage the Church of England, as by Law Establish'd; which is the firmest Support of the Monarchy, and the strongest Defence against Popery.

We have no more to add, but that we shall carefully endeavour in all our Consultations, to proceed with that Unity and Dispatch, as may give the greatest Weights to them; and so assure Your Majesty, That nothing shall be wanting on our Part to satisfy the World, that with an unshaken Zeal we will constantly Defend Your Majesties Royal Person, Honour, and Dignity, on which our Safety and Happiness is much dependent.

HER MAJESTIES most Gracious Answer.

MY LORDS,

I Am very glad to find I have your Concurrence in the Resolutions I declared to you; and give you Thanks for this Address, so full of Affection to Me; and Zeal for the Publick Good.

Her Majesty's Answer.

The

Commons
Address
to the
Queen.

The Commons, not to be behind hand with their Lordships in Gratitude to Her Majesty, order'd a Committee to draw up an Address to her; which being reported to the House, approv'd and presented, it was as follows.

Most Gracious Sovereign;

WE Your Majesty's most Dutiful and Loyal Subjects, the Commons of Great Britain in Parliament assembled, do joyfully appear before Your Majesty, to return our most humble Thanks for Your most Gracious Speech from the Throne; We bring the Thanks of your whole People, whom your Majesty has made happy, by your Confidence You have been pleased to place in their Duty and Affection: And We bring our own most Solemn Assurances, that We will make all such Returns, as shall convince Your Majesty, that Your Confidence has not been misplaced.

We are satisfied, We lie under all possible Obligations, both from our Duty to Your Majesty, and the Care We owe to our Country, affectionally and speedily to grant the necessary Supplies for a vigorous Prosecution of the War in all its Parts, and especially in Spain: That we shall study to do, in such a manner as may best answer the Publick Service, and be most useful to those We represent; And the same We shall continue to do, till such a Peace may be obtained, as your Majesty, in Your Royal Wisdom, shall judge to be Safe and Reasonable for Your Subjects and all Your Allies.

We have no Reason to doubt of your Majesty's Care in every thing that concerns the Interest and Welfare of Your People; but we think Ourselves obliged, in Justice to Our Fellow Subjects, and in order to make them hear, with greater Cheerfulness, the Burdens We shall find necessary to lay upon them, most humbly to beseech Your Majesty, that You will please to continue Your Powerful Influences with all Your Allies, that they may exert themselves in the Common Cause, with Resolutions equal, and Aids proportionable to Ours.

The Burden of those Debts, which presses Your People with so sensible a Weight, is, in some measure, alleviated by your Princely Compassion. We shall endeavour to trace the Source of this great Evil, and to apply a Remedy suitable to it. The Honour and Justice of Parliament shall, by Us, be unavoidably maintain'd, and all such other Measures pursued, by which the Publick Credit may be preserved and establish'd.

Your faithful Commons are truly sensible of Your Majesty's Wisdom and Goodness in those Resolutions which you have declared; and do most heartily concur in all which You have been pleas'd to recommend to them:

W^m

We return Your Majesty our most humble Thanks, for the Honour
from Affection that have given birth to Your Words, and by
Your Address, of Supporting and Encouraging the Church of
England, as by Law Established, and for its Ministers,
as the true Sons of that Church, we cannot but be
tenderly concerned for its Prosperity, and for its Honour, and
are by Affection and Principle inclined to secure its Doctrine,
Discipline and Worship.

As we are true Christians and true Subjects with those
Protestant Dissenters, who are so happy to entertain Sentiments
against Conformity with our Church, we are determined
to let them quietly enjoy their Indulgence, which
the Law hath allowed them.

As we are Britains, in a common Interest, and shall
be our joint Endeavour to preserve that Union between the
Parts of Great Britain, on which the Safety of the whole
depends.

As we are Lovers of our Excellent Constitution, both in
Church and State, and solicitous that our Posterity may be as
Happy in all future Ages, as we have long so continued under
Your Majesty's most Auspicious Reign, we shall always stea-
dily adhere to the Protestant Succession in the House of Ha-
nover, and be most watchful to prevent any Danger which
may threaten that Settlement, so necessary for the Preserva-
tion of our Religion, Laws and Liberties.

These are Ends truly worthy Your Majesty's Pursuits, and
we do with all Humility, represent to Your Majesty, that the
most Effectual Way to give Spirit to our Friends, and defeat
the restless Malice of our Enemies, will be, by Discounte-
nancing all Persons of such Principles, and Avoiding
all Measures of such Tendency, as may weaken Your Majesty's
Title and Government, the Settlement of the Crown in the
Illustrious House of Hanover, and advance the Hopes of the
Pretender, or any other Principles and Measures that have
lately threatened Your Royal Crown and Dignity, and which
whenever they prevail, will prove fatal to our whole Consti-
tution, both in Church and State.

To this Address Her Majesty made this most Gracious
Answer.

Gentlemen, I am extremely well pleased with your Address; and I

fully depend upon the Assurances you give me, of your
Concurrence in all the Particulars I have recommended to you.

Your Majesty depend upon my Care, to encourage those whose
Principles are agreeable to our Constitution in Church and
State.

On

Novemb. On the 24th, the Convocation of the Clergy met, and chose Dr. *Auribury* Dean of *Carlisle*, their Prolocutor. His Competitor was Dr. *Willis* Dean of *Lincoln*, who had about two in five for him.

The Czar
makes good
Regulati-
on in Li-
vonia.

The Convocation doing little or no Business before the New Year came in, we shall take another Tour abroad. The Armies in the *Netherlands*, upon the *Rhine*, and on the side of *Sevres*, being gone into Winter Quarters, and the Czar of *Muscovy* having by this time compleated the Conquest of *Livonia*, and consequently triumph'd over the *Swedes* in these parts of the World, His Majesty, to gain the Affection of the People, promised them, not only the Continuation of their Privileges, but likewise to discharge them from several heavy Burthens they complained of under the Regency of the *Swedes*. He also publish'd a Proclamation to encourage Trade and Navigation, and permitted the Exportation of all the Goods of the Country, except Timber fit for building of Ships, which he had occasion for himself, being resolv'd to have in a short time a considerable Navy in the *Baltick*. The Foreign Ships, which were come into the Harbours of *Livonia* since the Conquest thereof, have been receiv'd with all possible Civility, and in short, the *Muscovites* neglected nothing to render their Government acceptable to Foreigners as well as to the Natives.

Tartars
invade the
Ukrania.


The Czar had all this while taken all the Precautions he could to keep the *Turks* at Amity with him, that he might receive no Interruptions in his Conquests on that side: But Affairs now in *Turkey* began to take an unexpected turn; for a Party of 300 *Tartars*, disaffected *Cossacks*, and *Swedes*, having undertaken of their own Authority, in hopes of Booty, to plunder some Villages in *Ukrania*, a *Muscovite* Regiment overtook them, and upon their offering Resistance, killed about 1200 of them, taking the rest Prisoners. The *Muscovite* General, who Commanded on the Frontiers, sent an Officer to the *Seraskier* of *Bender*, to complain of this Hostility, and the *Muscovite* Ambassador did the like at the Port, and received Answer, that the *Tartars* and *Cossacks* killed and taken in this Expedition, had been used as they deserved. This Answer made People believe, that the Port did no ways approve this Action, and a great deal of Good was expected from it, but what happen'd since proves contrary:

For the Chain of *Tartary* being engaged by the great Promises of the King of *Sweden*, for private Advantage espoused this Affair, at the Instigation of the *Palatine* of *Kion* and General *Poniatowski*, and represented to the

the Chief Ministers of the Port, That the *Muscovites*, upon such Pretences as above, had several times fallen upon innocent *Mahometans*, contrary to the Tenor of Treaties and Capitulations, and murder'd them: That the Pride and great Power of his Czarish Majesty, together with the perpetual Motions of his Troops on the Frontiers, were grown Intolerable: That his continual Building of Ships at *Azoph*, and his Fitting out a considerable Fleet of Men of War, Gallies, and Brigantines, openly threatened the Empire with a sudden and unexpected Invasion upon the first Opportunity: That therefore, out of Conscience and Duty, as a right *Mahometan*, he was obliged to acquaint and assure the *Grand Signior*, That the *Tartars* and other Inhabitants under him, were not safe in and about the *Crim Tartary* in the present Conjunction of Affairs: That besides, he was upon good Grounds justly alarm'd for *Constantinople* it self, and consequently, that it was high time to prevent those imminent Dangers with which the *Ottoman Empire* was threatned, and dissipate them by vigorous Resolutions and Measures, before it was too late to oppose them. The *Cham* concluded his Representation; That as he was a faithful Servant of the Empire, he was bound to give particular Notice to the Port of what is before related; and added, that he thought it absolutely necessary, that the Great Council of the said Empire (consisting of the *Viziers*, *Mufti*, *Lawyers*, *Generals*, and *High Officers* of the Forces) should be forthwith called together, and that each Member thereof should be allowed the Free Liberty to speak their own Sentiments, without any Restraining and Apprehension.

According to this Representation of the *Cham of Tartary*, that Great Council met the 20th instant at Court, in the Chamber of Audience, and the *Grand Signior* being late behind a Curtain, the *Cham of Tartary*, as we were inform'd, made a long Harangue, in which he acquainted his Imperial Majesty and the whole Council with all the Particulars before related; concluding, that it was high time to prevent those Dangers which threatned the *Ottoman Empire* with a total Subversion, by taking vigorous and speedy Resolutions, suitable to the exigency of Affairs, and to send Home, through *Poland*, the King of *Sweden*, with a formidable Army, that he might vigorously attack *Muscovy* on that side, and help to humble that Proud Enemy. He Communicated at the same time some Letters, as written by several Polish *Grandeers* of note, to the King of *Sweden*, the *Palatine* of *Rion*, and General *Poniatowski*, wherein they pro-

Meeting
of the great
Council of
the Turkish
Empire, 20

Novemb.  mised, That as soon as his *Swedish* Majesty and the *Polish* Generals were advanced on the Frontiers of *Poland* with a formidable Army of *Turks* and *Tartars*, they, with the greatest part of the Republick, would join his Majesty, in order to deliver their Country from *Muscovites* and their Adherents.

Turks resolve upon a War against the Muscovites.

The Cham having finished his Speech, the Lords of the Great Council were commanded freely to declare their Opinion; but none had the Courage to contradict in the least the Cham of *Tartary*; but on the contrary, the Question being put three times successively to the Vote, they concluded with him, that the War was to be declared against the Czar of *Muscovy*, and the sooner the better. They resolved afterwards to make, without any loss of Time, the necessary Preparations for carrying on the same, and in order thereunto; to recruit with all speed the *Ottoman* Forces; to summon the *Pashas* from their respective Governments in *Asia Minor*, now called *Natolia*, *Pumelia*, and other parts of *Greece*, to give them Instructions to make the necessary Preparations for War, and to have the Troops under their Commands encamped together in the Plains of *Adrianople* by the beginning of *April*, and that in the mean time they should raise some Thousands of *Albanians*: All which being resolved and concluded, with a certain Prayer used on the like Occasions, the Orders relating to the same were issued out for the respective Provinces of the Empire. The Cham of *Tartary* was directed to return to his Country, to get all Things in a readiness for War.

The Palatine of *Kiow* set out Post likewise for *Behder*, and when he took his Leave of the Vizier, received a Present of 10000 *Lewendollars* for the Expences of his Journey; and that Minister charged him in a particular manner to use all his Credit in *Poland*, in order to bring the *Polish* Nobility into the Measures of that Court, and the Interest of his *Swedish* Majesty.

But notwithstanding the Imprisonment of the *Muscovite* Ambassador at the Port, in the Seven-Towers, which ensued thereupon, and many other Rumours of vast Preparations against the *Muscovite*, the Czar did not seem to be much alarm'd: It's true, he was not wanting to give Orders to have a good Army ready upon the Frontiers, and a powerful Fleet fitted up at *Azoph*, with both which he seem'd under no great Apprehensions, but he should be well able to cope with any Power that should attack him on that side: And, indeed, the *Turks* themselves began somewhat to cool upon the matter, and so at present we must leave them. Its

It is not comparable with the Nature of this History, *Novemb.* to dwell much upon the Adventures of private Persons, we have once, at least, mentioned the Affair of Mr. *Masner* at *Coire* in the *Grisons*, and the Imprisonment of his Son in *France*; for which he now made Reprisals, by seizing the Grand Prior of *France*. He lay in Wait for him with some trusty Friends arm'd, and seiz'd him with in half a League of *Coire*, in this manner:

The Captain of the Grand Prior's Guards riding at some distance before him on the Road, met a Person arm'd, who ask'd him his Name, which he refusing to tell, presently saw divers Men arm'd advancing: In the mean time, the Grand Prior himself coming up, Mr. *Masner*, who was the Person that stopp'd the Captain of the Guards, quitted him, and making up to the Grand Prior, ask'd him his Name. The Grand Prior answer'd, *Why do you ask me the Question? I would know* (said *Masner*) *whether you are a Frenchman. I am,* (replyed the other) *and besides I am Grand Prior of France. Very well* (said *Masner*) *then I seize you, because my Son is detain'd in France, and the Ambassador will not get him releas'd as he promis'd.* So he carried him to the Castle of *Baltzer*, belonging to the Emperor, and put him into the Hands of an Officer of his Imperial Majesty. The Grand Prior dispatch'd his Captain of the Guards to the Ambassador at *Soloiburn*, who sent a Courier to the Court of *France* about it, and a smart Letter to the Senate of *Coire*, to complain of this Affront offer'd to his Master, in the Person of the said Grand Prior.

*Masner
seizes the
Grand Pri-
or of France*

Mr. *Manning*, Secretary of the Queen of Great Britain, residing at *Coire*, being afraid that this threatening Letter might intimidate the *Grisons*, writ to the Magistrates of that City to this effect, 'That they were surpriz'd doubtless at the haughty and threatening manner, in which the Ambassador of *France* at *Soloiburn* demand'd of them, first, the Enlargement of the Grand Prior of *France* (seiz'd by one of their Members on the Lordship of the *Raguns*, and carry'd off into the Territories of the August House of *Austria*, where he was at present) and then the punishing of him who did the Action. That to clear up a little of that Affair, which at first might seem of Consequence to those who did not know the true State of the Case, he entreated them to permit him, as a Friend and Servant of their laudable Republick, to make the following Remarks upon the Fact in Question.

*Mr. Man-
ning's Let-
ter to the
Magi-
strates of
Coire, &c.*

'That every body knew the Treacherous Means used the beginning of *May* last, by hired Ruffians to seize

Novemb. and carry off the Son of M. *Masner*, whom they had engag'd to take the Air with them on the Territories of *Savoy*. 'Twas this base Action, contriv'd and executed by the *French* on the Person of one of their Members, an innocent Youth of Sixteen Years of Age, who was following his Studies at *Geneva*, and who had never done the least thing to draw upon himself the Resentment of *France*; 'twas this Villainous and Scandalous Treatment of one of the Children of their Republick, that they had just cause to take Offence at, and was the Motive of all that his Imperial Majesty's Commissary had since done to recover his Son. They said, that the *French* were the Aggressors, and first violated the Neutrality, by seizing a *Grison*, contrary to all Right and Justice, who had never done any thing against their Interests! That Counsellor *Masner* used all the most respectful Methods to recover his Son so unjustly detain'd. That 'twas to no purpose to use publick Intercessions with the Count *du Luc*, and to urge to him the Alliances and Neutrality. That all this made little Impression on the Minds of certain Ministers, who thought themselves the only Men privileg'd to commit Violences, without fearing Reprisals. That they openly made their Sport of those Applications to them, and thereby drove the Father, provok'd by their Contempt of his Submissions, and pierc'd with Grief for the unjust Imprisonment of his Son, into a kind of Necessity to procure his Liberty by other ways. As for the Grand Prior of *France*, who had had the Misfortune to fall into the Hands of a Man justly irritated against his Nation, he would only say, that if ever any thing could extenuate a Proceeding of this Nature, 'twas in the present Case. They could not but remember, that M. *Masner*, after the Negotiation of the Affair of M. *Merveilleux* by M. *Viguier*, in the Name of the Count *du Luc*, trusting to the Justice of his Cause, took a Resolution to make his Appearance before an Ambassador of *France*, who was incens'd against him, to make his Submission to him personally, justify himself against what could be alledg'd against him, and beseech him to cause his Son to be restor'd to him. 'Twas natural to imagine, that had M. *Masner* been conscious he was really culpable, he would never have been so imprudent, to put himself into the Hands of the very Person who would make himself his own Judge; for what pass'd with respect to M. *Renaud*, might well give him Apprehension. Yet he was not suffer'd on that occasion to justify himself, being dismiss'd, with a Promise however that he should have his Son.

In short, M. *Masner* finding all Hopes of that kind *Novemb.*
 were vain, grew enrag'd at the Insolence and Perfidiousness of those who had no Regard to what they had
 so solemnly promis'd him; and the Anguish of his Soul
 being continually heighten'd by the Remembrance of
 his only Son, he was incited by Despair to the Seizure
 which the Count *du Luc* complain'd of.

The other Memorials, Remonstrances and Replies,
 made on the part of the Emperor, *Great Britain* and
France, about this Affair, being long, and looking more
 like wrangling and pulling in some of them, than a de-
 sign amicably to end it, to the Satisfaction of both the
 Parties, we shall not enter upon them; but after having
 observed, that we mention'd the Election of the Prince
 of *Lorain* to the Coadjutorship of *Triers* in *Septemb.* last;
 that now we are to take Notice, that the Grand Master
 of the Teutonick Order, Brother to the Elector *Palatine*,
 was, on the 5th, chosen Coadjutor to the Elector of
Meniz, we shall pass for the last time into *France* and
Spain, and from thence making the best of our way for
England, conclude the History of *Europe* for this Year
 with the Transactions of our own Country.

Grand
 Master
 chosen Co-
 adjutor of
 Meniz.

As for the *French* Court, they seem'd so far from any
 Thoughts of Peace, that they used all possible Efforts to
 retrieve their Affairs the next Campaign, by raising the
 necessary Funds, and *Lewis XIV.* was so much exaspera-
 ted against the *Dutch*, that he declar'd publickly at his
 Table, That whatever mean Opinion they might have
 entertain'd of the Condition of his Affairs, he did not
 question but they should have Cause to repent their ha-
 ving refused and slighted the Offers he had made for
 Peace: And the Marquis *de Torcy* express'd himself much
 to the same effect, but in less civil Terms, for speaking
 of the States, he said, That those *Proud Merchants* had
 forgot who they were, but that he hoped to see them
 shortly as dejected as they were now elevated. These
 were but Words; but to convince the *Dutch* that these
 were not empty Menaces, they resolv'd to refuse Passes to
 their Ships, and King *Philip* having done the same by the
Dutch, and both Kings being willing to allow the *English*
 Passes to Trade into both their Dominions, looked as if
 they design'd thereby to create a Misunderstanding be-
 tween them; but the *Dutch* not seeming at all alarm'd at
 this Prohibition, things went on unconcernedly. On the
 other hand, the *French* K. left nothing unessay'd to retrieve
 the Affairs of his Grandson in *Spain*, by re-inforcing his
 Army with Troops thro' *Navarre*, and withdrawing a

Novemb. great Body of Men from *Dauphine* to strengthen the Army of the Duke de *Noailles* in *Roussillon*, in order to form the Siege of *Gironne*, and thereby reduce King *Charles III.* (as things fell out) to closer Quarters than ever, since the *Mareschal de Thesse* besieged *Barcelona*: But our business at present being to inspect how matters went in *Castile*, we will hasten thither.

French
Account
of King
Charles
his Affairs

The *French* made a sad Representation of Affairs, in respect to their Enemies, and were pleased to tell us among other things, that King *Charles's* Troops pillag'd all the places about *Madrid*, without sparing the Churches, where they committed all manner of Sacrilege: That at length they abandon'd *Madrid*, after having plunder'd the Houses of some Persons of Distinction, among others, that of the *Marquis de Majorada*, Secretary of the universal Dispatches, in which they committed great Disorders, and carry'd off several Coffers: That they likewise carry'd off all the Provisions, Horses, Mules, and even the Asses. That these Calamities had only serv'd to increase the Zeal of the *Castilians*, and incite them to give the more signal Proof of their Fidelity for their lawful King.

Then having extolled the Loyalty of the *Castilians* and People of *Madrid*, they informed us of King *Charles* his retiring with a Thousand Horse for *Catalonia*, of his Army's having quitted *Toledo* and all their Posts that way, with a design to retire to *Arragon*, and of King *Philip's* Strength, and the Motions and Dispositions made by him to fall upon them in their Retreat: The Substance of which Accounts, however so much disbeliev'd by us at first, prov'd but too true in the Event.

Posture
of the
Allies in
Castile,

In the mean time our Friends, to put the best Face they could upon it, informed us, That the Allies on the 11th decamp'd from *Villaverde*, situated within a league of *Madrid*, and his Catholick Majesty, attended only with the Royal Regiment of Dragoons, and the Regiment of Foot of *Staremberg*, consisting of 1000 Men, directed his march to the Town of *Zienpozuolos*, while the rest of the Army marched into their Quarters appointed in the following Places, *St. Martino*, *Pinto*, *Chinchon*, *Valdemoro*, *Calmenar*, *Xelast*, *Zienpozuolos*, and *Ballecas*, which Places lie between *Madrid* and *Toledo*, and near the *Tagus*, without sending any on the side of the *Mancha*. And to prevent all Dangers, the Barks on the said River were secured, and no Bridge left thereon, but that of *Aranjuez*, for the Security of which, a good Intrèchement was cast up, and a good Guard posted there to examine who went into the Place or went out. That King *Charles* be-

ing

ing arrived at *Zienpozuolos*, received there Advice, That *Decemb.*
the march of the Army from the Neighbourhood of *Madrid* had occasioned a great Uneasiness, the Popu-
lace and Partisans of *France* giving out, That his Maje-
sty with his whole Army intended to march towards the
Kingdom of *Valencia*. To remove which, his Majesty
thought fit to continue Nine Days at *Zienpozuolos*, du-
ring which time the necessary Measures for preventing
all Dangers were concerted, after which time his Maje-
sty marched to *Puerto Largo* on the River *Xarama*, with-
in a League of *Zienpozuolos*, accompanied by all the Ge-
neral Officers, who took their Leave of him in that
Place, and returned to their respective Posts and Quar-
ters. From thence his Majesty continued his march to
Catalonia, being attended by some Lords and Grandees
of *Spain*, who voluntarily offered themselves to accompa-
ny him. That the Troops Quartered in the Places a-
forementioned, consisted of 16000 Men, besides 4000
more which were Garrison'd in *Toledo*, under the Com-
mand of the Count d'*Atalaya*, Governour thereof, who
had caused that City to be very well fortify'd with Pa-
lissadoes, Intrenchments, and other Works, defended
with good Artillery.

The Allies flattering themselves from this Posture of
King *Charles's* Troops, that he would hold his Ground in
Castile till they should be able to re-inforce him, were
soon undeceived by the way of *France*, that the Army
under the Generals *Staremberg* and *Stanhope*, were not
only under a necessity of quitting the Country, and
actually on the march towards *Arragon*, but were upon
the matter entirely ruin'd by the loss of the Troops in
Brihuega and the Battle of *Villa-viciosa*: It's most certain,
that *Philip* and the Duke of *Vendosme* made very expe-
ditious Marches to come up with them; and the *French*
were pleased to tell us, That their Batteries began to
Fire on the 9th in the Morning against *Brihuega*, which
in a little time made a Breach, but to no purpose, there
being a Terras of Earth within the Wall. That the
Duke of *Vendosme* viewing the Approaches to the Place,
observ'd on the Left of the Attack several Houses conti-
guous, or adjoining to the Wall on the Outside. He
caus'd some Men to take Possession of them, with Design
to set the Miners to work under the Wall on that side,
and to beat down an adjacent Gate. That they form'd
two Attacks; and having given Order for supporting
that of the Left, which was the true Attack, the Breach
being imperfect at the Right, they were informed, that
Count *Staremberg* was advancing to succour *Brihuega*.

French
Account
of the ta-
king of
Brihuega.

Decemb.

Brihuega
Capitulation
Lafes.

That upon this, *Philip* caus'd the Cavalry to march, which the Duke of *Vendosme* led, and posted them himself on the Hills to that side by which the Enemy were approaching, and then he returned to his Catholick Majesty. That the Infantry made an Assault on the Town; the Action was long and hard disputed, because the Enemy's Troops were not only inured to Service and numerous, but had likewise good Intrenchments in the Streets. The springing of the Mine open'd a pretty large Breach, and besides, the Gate at the Left Attack was beaten down. The Place was enter'd, and the Enemy being forced, set fire to their first Intrenchment, which was made of dry Wood, as also to the Neighbouring Houses, which stopp'd the Troops; but the Fire being extinguish'd, the Enemy were push'd from one House to another, and at length driven to their last Intrenchment. While this was doing at the Attack on the Left, the Troops appointed to act at that on the Right, executed the Orders given them by the Duke of *Vendosme* to attack the Breach and maintain themselves there, for making a Diversion of the Enemy's Forces; who seeing themselves reduc'd to Extremity, and in want of Provisions (by which Term the Relator leaves us to understand *Ammunition*) they beat a Parley about Six at Night. The Capitulation was regulated, and the Garrison were made Prisoners of War. It was compos'd of 7 English Batallions, 1 Batallion of Portuguese, and 8 Squadrons of English. It was agreed, That the Officers, Troops, Dragoons and Soldiers, should keep their Equipage and Baggage; they being oblig'd at the same time to deliver up all their Arms, to march out at Ten the next Morning, and in the mean while, to deliver up the Gate of the Castle; favourable Conditions were granted besides to the Prisoners and Wounded. The chief of the Prisoners were, the Lieutenants-General *Stanhope*, *Carpenter* and *Wills*, two Major-Generals, and two Brigadiers.

Then they gave us an ample Account of that great Victory (as they call'd it, and for which *Te Deum* was sung) at *Villa-viciosa*, wherein they magnify'd the Valour of their Troops to the last degree, and made a most entire Victory of it; and yet they own'd at the same time, that the Right Wing of the Confederate Forces were surrounded on all sides, fought on courageously, and that they even gain'd Ground. That in the end, the Night favour'd the Retreat of that Part of the Enemy's Infantry, who till then had fought with very great Courage, but

twas

December

'twas with great Precipitation they retir'd, taking the Rout of *Siguenza*. That they abandon'd their Wounded, and left with them on the Field of Battel twenty Cannon, two Mortars, their Waggon, all their Equipages and Artillery, the Baggage of their Army, and about 8000 Fusils. That the number of the Kill'd on the Field of Battel was much about 4000 Men, three Fourths of which were of the Enemy's Troops, and the number of Prisoners 3000 Men; among them were Lieutenant-Generals *Belcastel*, who commanded the *Dutch Auxiliaries*, *M. de St. Amand*, and many other Officers. *Don Joseph Vallejo*, who was posted to cut off the Communication between *Aragon* and the Enemy's Army, had on his part taken 2300 Prisoners, almost all Horse; so that reckoning the Battalions and Squadrons taken at *Bribuega*, and the Prisoners taken in the Battel, the number of those the King of Spain had actually in his Power, was 9000 Men; and also that Count *Staremburg* had but 3000 Foot and 8 Troops of Horse left with him.

Having thus given you the Substance of the *French Account*, we are now to hear what the Allies said upon this memorable Occasion; and first we shall insert General *Staremburg's* Letter to the King of Spain about it, which seems to be writ with that Soldiers Bluntness and Sincerity, as to merit a place in the Annals of Time;

S I R,

YOUR Majesty will have been inform'd by the Captain of the *Catalonian Guard*, of what passed at the Army since your Majesty left it, and that the want of Provisions had obliged us to come nearer to the *Magazines* we have in *Aragon*. Whereupon we thought fit to retire between the *Tagus* and the *Tajuna*, which was performed with Success, till we came near to *Cisfuentes*, although the Enemy had endeavour'd several Times to attack our Rear, and the Country People in *Castile* had taken Arms to fall upon our Troops, and plunder our Baggage, which we prevented on all sides with the greatest Care imaginable.

The late Season of the Year, and the Necessity of getting Provisions and Forage for the Troops, obliged us to march in Columns, and by different Ways; the English Troops believing they might find some Provisions in *Bribuega*, and subsist better there, took that Road, and halted the 8th. The same Day the Enemy came up with their whole Army, and having surrounded them, began to batter the Walls. Before I was inform'd of this Accident,

Count Staremburg's Letter to the King of Spain about the Battel of Villaviciosa.

Decemb.

cident, I had given Order to all the separate Bodies of Troops to come and join me, as thinking that it was very hazardous to let them march in Columns. As soon as I had Notice of the Danger which the English were in, I made the Army march the whole Night of the 8th, and all the Day following, to endeavour to relieve them. We arriv'd the 10th, as Night was coming on, within a League of the Town; and I immediately ordered some Cannon to be fired, to give Notice to the Besieged, that we were coming to their Relief. We found the Enemy drawn up in order of Battle. Our Troops which were shut up in *Brihuega*, consisted of Eight Batalions and Eight Squadrons. I thought I ought not to abandon so considerable a Body of Men, which was the Reason that obliged me to hazard a Battel, altho' the Enemy's Army was much superior to mine, especially in Horse; besides that, the Ground was less advantageous for us than for the Enemy, we being in a Plain, and under great Difficulty to form our selves in a Place which was open on all sides; but it was not a time now to think of retiring. I posted the Left Wing in a Ground which was difficult of Access, and I covered the Right on the side of the Plain with some Batalions. I placed the Horse behind the first and second Line, and so made four Lines. In this Posture I stood expecting the Enemy, who came on, and scarce gave me time enough to finish my Disposition. In the mean while the Artillery played continually, and did considerable Damage on both sides. The Enemy began their Attack in good Order, and with great Vigour, having flank'd our Right Wing in some Places, which however recovered that Disorder immediately; but our Left being entirely routed, the Enemy attack'd us in the Rear. Whereupon Major-General *Contrecoeur*, having with him 3 Batalions of the second Line, 1 of the *Grisons*, 1 of *Babilon*, and 1 of *Report*, advanced so seasonably, and in so good Order, that he repulsed the Enemy. During that time, our left Wing rallied again, and the Enemy was routed both on their Right and their Left. We push'd them above half a League, pursuing and defeating them entirely. We made our selves Masters of all the Train of Artillery, and of a good number of Colours and Standards; the Slaughter was very great, and above six Thousand of the Enemy lay dead on the Field of Battel.

Our Troops did not trouble themselves to make Prisoners; among whom however was the Marquis de *Thouy* Captain General, but killed all they could meet with; there were none spared but the Marquis de *Thouy*, some

December

some Brigadiers and inferior Officers, and a small number of Soldiers. The Enemy's Army consisted of Thirty-two Batalions and Eighty Squadrons; that is to say, 20 Batalions, which were formed out of the Remains of 44 Squadrons which had been formed in like manner out of the Remains of 70 which they had at the same Battel, and 36 others, which they had also drawn out of *Estremadura*.

Our Army was composed of 29 Squadrons and 27 Batalions, that is to say, Four Imperial Squadrons, 2 Spanish, 1 English, 10 Portuguese, 6 Dutch, and 6 Palatines; the Infantry consisted of 14 Batalions of Imperialists, 5 Spanish, 2 Portuguese, 2 English, 2 Dutch, and 2 Palatines. The most part of these Corps were much weakened, which could not be otherwise after so hard a Campaign, and in the Month of *December*. The Horse of the Left Wing went off quite at the first shock of the Enemy, together with Seven Batalions: So that I found my self reduced to fight with 20 Batalions and 16 Squadrons, which was one to three.

But God gave so much Courage and good Conduct to the Officers and Soldiers, that without being astonish'd at the great Superiority of the Enemy, they Repulsed them, and did such Actions as may almost pass for Supernatural. All of them distinguish'd themselves, but more particularly the Lieutenant-Generals *Baron de Wetzzel*, Count *d'Atalaya*, and *Don Antonio de Villaruet*; the Major-Generals Count *Eck*, and *Hamilton*, and *Don Pedro d'Almada*; these Gentlemen gave signal Proofs of their Bravery, Prudence, and good Conduct; these were the only Persons that were able to act during the whole Engagement, we having lost in the first Attack the Generals *Belcastel*, *Frankenburg*, *Copi*, and *St. Amand*. The Combat was so bloody, that several times the Batalions and Squadrons charged by their own selves, their Commanders being obliged to do the Duty of Generals in repulsing the Enemy on all sides as they attacked us.

I believe I do not exaggerate the Matter in saying, that there were above 6000 killed on the Enemy's side, who, after an Engagement which lasted from 3 o'Clock in the Afternoon till pretty late at Night, were entirely put to Flight. Having taken their Cannon, we turned them against the Enemy, and stay'd the next Day in the Place to which we had pursued them. Having afterwards heard from Prisoners and Deserters, that the English in *Bribuega* were made Prisoners of War, and had marched out in the Morning an Hour before our Arrival; and part of the Left Wing being gone so far that I have not yet had any certain Account of it, only that without stopping

Decemb. Stopping they made their Way towards *Arragon*; and the Troops being also without Bread, and in want of all sorts of Provisions in so rigorous a Season, I found myself necessitated to retire that Day, being the 11th, and to draw nearer to the Magazines in *Arragon*. Part of our Baggage, on which some Squadrons of the Enemy fell at the time when our Left Wing was in Disorder, was pillaged by them and the Country People. Besides these Circumstances which hapned on this Occasion, there was likewise another, which was, That all the People belonging to the Artillery had run away with the Horses of the Train; and as it was impossible to carry off either the Enemy's Cannon, or our own, I was oblig'd to burn the Carriages, and the Wheels. This, Sir, is as true and exact an Account as the shortness of the Time will allow me to make to your Majesty, &c.

Observations on General Stanhope.

It was visible in the very Faces, as well as by the Conversation of a certain set of Men in *England*, that they rather rejoyc'd than were sorry at the Misfortune of General *Stanhope*: I am very certain he was very much in their good Graces in less than a Twelve-month before; but his being a Manager of the Commons at the Tryal of Dr. *Sacheverell*, is his *Mortal Sin*, which some will never forgive him. Let People judge of Civil Affairs as they please, his Conduct on this occasion, by any thing that yet appears, is no ways blame-worthy; and for his Valour its almost beyond Example, and the Account sent the Duke of *Savoy* of the Battel, says, That this Gentleman, tho' *Brihuega* was an open place, performed whatever could be expected from a Valiant General; and he fought like a Lion, and having spent all his Powder, his Men threw Stones till 9 at Night, when being destitute of all Means of Defence, he was oblig'd to yield.

Colonel Hamilton's Account of the Battel of Villaviciosa.

To this we may add what Colonel *Hamilton* brought to *England* concerning these Affairs, viz. That because our Army began to want Necessaries, 'twas resolv'd to quit *Castile*, and to march to *Arragon*; that the Enemy having Notice of it, formed an Army of 44 Battalions and 65 Squadrons, and marched on, whilst our Rear-Guard, commanded by General *Stanhope*, advanced towards the Plain of *Cisuentes*; that it must be observed, that the Allies being in want of Provisions were obliged to divide their Army into 2 Bodies; and the Country being against them, they could not meet with any Spies, but such as were treacherous. This gave the Enemy an Opportunity to attack our Rear-Guard; and General

Stanhope

December

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*Stanhope* immediately sent word of it to Count *Staremburg*; but he could not come up in time; the Reason of which, some gave, was, That the Officer, not knowing the Country, lost his Way, and could not give the Count early Notice enough it. That upon this, General *Stanhope* retired to *Bribuega*, and in his Retreat faced about several times, and fought the Enemy with great Bravery; that he defended himself at *Bribuega* 28 Hours, but being in want of Powder, he was at last obliged to surrender. That Count *Staremburg* afterwards advanc'd with the rest of the Army, and attacked the Enemy; and tho' our Left Wing gave Ground in the beginning of the Battel, yet his Right Wing entirely defeated the Enemy, whose Loss was reckon'd at 8000 Men, besides 2000 Prisoners, and 18 Cannon, which could not be carried off. That the Battel was very obstinate. That the Dutch General, *Belcastel*, who was killed, had form'd a square Batallion, consisting of 4 other Batallions, whom neither the Enemies Horse nor Foot could force: That this gave an opportunity, to Count *Staremburg* to do Wonders with the Right Wing; which gave a total Overthrow to the Enemy.

How meanly soever the Actions of General *Stanhope* were represented amongst us, Count *Staremburg*, who before was held in the first Rank of Generals in Europe, was now (and indeed very justly) extoll'd to the Skies: No Elogies were spar'd upon him; the Lustre of the Renown'd *Eugene* did not seem quite so bright as before. It's pity Circumstances would not allow the Velt-Mareschal to keep his footing in *Castille*, from whence he retir'd in great Safety, and without any Danger or Damage from the Enemy, (tho' they very boastingly gave out the contrary) to *Catalonia*, where the Duke de *Noailles* carried on the Siege of *Gironne* with great Vigor; but not compleating the Conquest of that important place 'till the new Year, we shall take our Leaves of all Foreign Affairs, and return Home.

Elogies of  
Count Sta-  
remberg.

Various were the Opinions of Mankind about Returning or Not-returning Thanks to the Duke of *Marlborough*, for the Services of the last Campaign; some mention there was made of it in the House of Lords before the Duke's arrival, which was towards the end of this Month, but the same Spirit did not agitate their Lordships Minds at this time, as did of old those of the Senate and People of *Rome*, who when it was propos'd, Whether a General should be thank'd for his Services to the Publick, all unanimously answer'd,

\* That

Decemb.

\* That there could be no more Doubt; whether a General, who had done such great things, ought to be paid the Honours he deserv'd; than whether the immortal Gods ought to have Thanks return'd 'em for the Success they had blest him with. But it seems the Case was now much alter'd from what it had been, tho' nothing could alter the Zeal and Affection of this Great Man for the Good of his Country, which he still resolv'd to continue to serve without Thanks:

*Bella geri placuit nullos habitura triumphos.*

The Contests between the *High* and *Low-flyers* were still carried on, but frequently with more Warmth than Good Sense: The first of these for the most part shew'd themselves extravagantly fond of *Sole Hereditary Right*, (as if the addition of a Parliamentary Right would have done Her Majesty's Title any hurt) and when the Business of the Revolution was urg'd by the opposite Party, and what they must then do with the Reign of *K. William*, who could not be Heir to *K. James*; this they did not indeed care to call a downright *Usurpation*, but they said it might be put within a *Parenthesis*.

On the 19th the Commons resolv'd, That the Charter dated the 20th of *April*, 1708, attempted to be impos'd on the Borough of *Bewdley* in *Worcestershire* against the Consent of the ancient Corporation, was void, illegal, and destructive of the Constitution of Parliaments; upon which occasion the following Speech was made in the House.

Mr. Speaker,

Sir J. Packington's Speech about the Bewdley Charter.

I Did not intend to have troubled you this Session, and I believe it will be to little Purpose now: For if a Gentleman stands up to complain of Grievances, although this House meets in order to redress them, he is represented as a Person that obstructs Her Majesty's Business; if he finds fault with the Ministry, he is said to reflect upon the QUEEN; if he speaks against the Continuance of the War, to prevent the Beggary of the Nation, to prevent the Money'd and Military Men becoming Lords of us who have the Lands, then he is to be no Object of HER MAJESTY's Favour and Encouragement. This, Sir, is the Pass we are brought to, and this is the Freedom of Speech you were pleas'd

\* *Tribuni res tantas Bello gessisse Cornelium fateris ut non magis de triumpho, quam de honore divi immortalibus habendo dubitari possit.* Liv. 33.



to ask for at the Opening of this Session, and which of right belongs to every Member of this House. I remember the Time, when such Restraints as these would not have been suffer'd or endur'd; but we are under Arbitrary Ministerial Power; and if ever there was an Instance of it, it's in this that's now before us: But how great soever the Discouragements are to Freedom of Speech, I think my self oblig'd, as an English Gentleman, who never will comply with an Arbitrary Ministry; as a Member of this House, who has been always Zealous to support the Constitution of Parliaments; as a Neighbour to this Borough in the Case now before us, to speak my Mind with that Warmth I us'd to do, when the Liberties of my Country, or any part of it seem'd to be touch'd. For though the Injury may be felt by one single Man, or one single Society of Men; yet the Terror, the Concern, and Consequence of it, reaches unto all. We have had a Fact this Day of dangerous tendency laid before us, of a New Charter forc'd upon an Ancient Corporation, at the single Instance of a Noble Lord, without a Surrender of the Old, contrary to Law, to Reason, and the Rights of the Members thereof; which they refus'd to accept, as being inconsistent with their former Charter of King James the First, and, as they conceiv'd, void in it self; since it's impossible for two Charters, any more than two Grants, or two Leases, to have a being at the same time. Ever since the Revolution, every thing has been transacted in this Corporation pursuant to the Charter of K. James the First, the Right of the Bayliff and Bargeses, affirm'd by Judgment in the Queen's Bench, until this New Corporation was erected by this unprecedented Charter, which the Old was so far from consenting should pass, that they oppos'd it, by entering Caveats in all the Offices; and by shewing that was contrary to Her Majesty's Intention, express'd in the Warrant.

Thus, Mr. Speaker, have you seen the Prerogative enlarg'd and extended farther, I will be bold to say, than it was in the unhappy Reign before the Revolution. Every Gentleman remembers how highly things of this nature was resented in K. James's time, when Court Arts were us'd to wheedle and terrifie Boroughs into a Surrender of their Charters; and when they found that Method would not do, they endeavour'd to take them away under Colour of Legal Process, by bringing Quo Warranto's against them: this was then thought dangerous to the Constitution; and very well it might, for the People of England could expect no other fruit from such a Proceeding, but that this House would be fill'd with Men of the Army, with Men of desperate Fortunes, with Pensioners, with Vassals of the Court, with Slaves of the Ministry, and with all those servile sort of Gentlemen, that can give with one Hand to receive with the other, and thereby betray those they represent to Arbitrary Power:

*Decemb.* Power: But this Instance now before us, is more new and dangerous than taking away Charters by Surrender or Quo Warranto's; those Methods made some Noise, alarm'd the free People of England, and you see what came of it. But this is a quicker, a more silent Method of doing it, which, like white Powder, destroys the Liberty of the People, and subverts the Constitution of this House without Noise or Notice. I beg, Gentlemen, you would consider all the Circumstances with which this Charter was attended, and I am sure, you can't reflect upon 'em without Grief: First, as to the time, You have heard, Sir, how the Great Seal of England was affix'd to this Charter, upon the 22d of April 1708, the very same Day there was an order made in Council to issue out Writs for calling that Parliament: In this Critical Juncture was this Corporation erected, I will not scruple saying, to serve the Arbitrary Designs of those who are afraid of a free Election, who are afraid of a free and uninfluenc'd Parliament: Such a Parliament would scorn to flatter Great Men, would enquire into Miscarriages, and punish such as were faulty, would call those Ministers to an Account who should prevail with the QUEEN to turn Men of Ability and Consideration out of Place and Employment, for acting upon Principles of Honour and Conscience, and doing their Duty in this House. Another evil Consequence with which this Charter is attended, is, That so many new Electors, and a new returning Officer are created by it, to the Infringement of the Liberty of the Subject, and making all Elections, in a manner, depend upon the Will of the Prince. I hope Gentlemen, you will seriously consider this matter, that you will lay aside all Thoughts of Party in this Cause; for if it be in the Power of the Crown to dissolve Old Corporations, and erect New, in so exorbitant a manner, we may bid adieu to Liberty and Property, and to all that has cost so much Blood and Treasure to maintain and defend; there will be no difference between a Parliament of Great-Britain and a Parliament of Paris.

I hope, once more, Gentlemen, you will seriously consider how much the Honour and Justice of this House is concerned in the Determination of the Case now before you: The Eyes of the People have been some time opened; they will observe, they will judge of our Votings in this Cause; and from us, as we have put a stop to unjust and exorbitant Power abroad, that we should neither suffer nor endure it at home.

*Queen  
passes Bills  
the 23d.*

On the 23d Her Majesty going to the House of Lords, as usual, and having sent for the Commons up, was pleas'd to pass the Land-Tax-Bill for 4 s. in the Pound for the Year 1711, and an Act for Quarantine of Ships; after which the Parliament adjourn'd to the 2d of January.

In the mean time the new Convocation having Liberty to sit, the following Letter was sent by Her Majesty, to his Grace the Archbishop of Canterbury.

ANNE R.

**M**OST Reverend Father in God, Our Right Trusty and Right entirely Beloved Counsellor, We greet you well. Being by GOD's Ordinance, according to Our just Title, Defender of the Faith, and Supreme Governour of the Church within this Our Realm, We think Ourselves obliged to take all Occasions of manifesting Our most tender Concern for the Honour and Prosperity of the Church of England, and for the Preservation of the just Rights of all its Members.

Queen's Letter to the Arch-Bishop of Canterbury.

We have therefore, by Our Royal Writ, Summoned the present Convocation, together with the Parliament, as in all Times has been accustomed, that the Clergy might be employed in Business suitable to their Sacred Function, such as might tend to the Advancement of Religion and Virtue, and rebound to GOD's Glory and the publick Benefit.

It is with great Grief of Heart We observe the scandalous Attempts which of late Years have been made to infect the Minds of our good Subjects, by loose and profane Principles openly scattered and propagated among them.

We think the Consultations of the Clergy particularly requisite to repress these daring Attempts, and to prevent the like for the future.

The just Abhorrence that Our Subjects from all Parts of the Kingdom, have expressed of such wicked Principles and their Abettors, give Us good Ground to hope, that the Endeavours of the Clergy in this respect will not be unsuccessful.

For Our part, We are ready to give them all fitting Encouragement to proceed in the Dispatch of such Business as properly belongs to them, and to grant them such Powers as shall be thought requisite for carrying on so good and desirable a Work, in Confidence that Our Royal Intentions in that behalf will not be frustrated, nor the Ends of such Assemblies defeated by any unseasonable Disputes between the Two Houses of Convocation, about unnecessary Forms and Methods of Proceeding. We earnestly recommend that such Disputes may cease, and We are determined to do all that in Us lies, to compose and extinguish them. All which we require

S<sup>c</sup>

you



*Decem<sup>r</sup>* you to communicate to the Bishops and Clergy of your Province in Convocation Assembled. And so We bid you very heartily farewell.

Given at Our Court at St. James's the Twelfth Day of December 1710. In the Ninth Year of Our Reign.

Superfcribed By Her Majesty's Command,  
To the Most Reverend Father  
in GOD, Our Right Trusty  
and Right entirely Beloved  
Counsellor, Thomas Lord  
Archbishop of Canterbury,  
Primate of all England, and  
Metropolitan, and President  
of the Convocation of the  
Province of Canterbury.

DARTMOUTH.

There having been little or no Business done by this most Learned and Reverend Assembly before the Conclusion of the Old Year, we shall not take any further Notice of them, but proceed to entertain the Reader with the Speech of His Excellency Don Ventura Zary, Ambassador Extraordinary from Muly Hamet Ismael, Emperor and King of Morocco, to Her Majesty, at St. James's Palace, on the 20th. Translated from the Original by Mr. Jones his Interpreter. His Excellency was Conducted from his House by Sir Clement Cotterel, Master of the Ceremonies, in Her Majesty's Body-Coach, to a private Audience at St. James's, where being introduc'd into the Queen's Presence by the Lord Dartmouth, He thus deliver'd himself:

Most Puissant, most Victorious, and most Gracious  
QUEEN.

Morocco  
Ambassa-  
dors Speech  
to Queen  
Ann.

**T**HE Emperor my Master, Muly Hamet Ismael, King of Fez and Morocco, who has Kings for his Slaves, and Sovereign Princes for his Tributaries, has sent me to cultivate that Friendship with your Majesty which has been offer'd on the Part of Great Britain by your Chieftain and Ambassador Mr. Delaval, and to congratulate You upon the many Important Victories and Conquests that your Majesty's Arms have gain'd over Two Great Followers of the Christian Messias, the Kings of France and Spain.

It is with Pleasure He hears what Fame speaks of your wonderful Atchievements, and He has made Choice of me, that sit on the Third Step of his Footstool, to concert such Measures with

Decemb

with Your Majesty, as may be conducive to the further Progress of Your Arms on the Coasts of Spain and Barbary.

As for this End my Great Master, who is Lord over Infinite Countries, and whose Power has no Limits, makes an Offer to Your Majesty, of what Assistance may be thought necessary for the Maintenance of your Forces by Sea and Land; and but so request on his Part, That Your Majesty will enable Him, by means of Your Invincible Shipping, to reduce the Fortresses of Ceura, and other Towns in Barbary, to his Majesty's Obedience.

In Consideration of this, my Master's Goodness prevails on him to release such your Majesty's Subjects as are in his Possession, without Fee or Ransom, and is willing that such as are in his Subjects Hands should be set at Liberty, upon such Terms of Agreement as shall be concerted between Me and your Ministry.

In the mean time, most Excellent Majesty, my Credentials will give you to understand, with what Power the most Exalted Muly Hamet Ismael my Master, has invested me, and I shall make it my Business to let your Majesty see, by the Obedience I pay to his Orders, how willing and ready I shall be to enter upon such a Treaty as may increase the Grandeur, Power, and Authority of both Empires, not without Hopes that my Person and Message will be acceptable to a Court that shines with the brightest Refulgences of all Glories, that can embellish any Kingdom or Country that is not under the immediate Influence of our Great PROPHET.

This Incomparable Harangue, which favours more of the Politeness of an European than an African Court, was very graciously receiv'd, and his Excellency after having made his Master's Present to Her Majesty, consisting of Two Lions, Tigers Skins, Gold Dust, and Jewels, was Conducted back to his House in the same Order he came.

As to other matters; about the beginning of this Month, the Honourable Charles Craven, Esq; Brother to the Lord Craven, was appointed Governor of South Carolina, in the room of Colonel Tynto, deceased. The Gift I take to be in the Proprietors, who are, the Lord Craven Palatine, the Duke of Beaufort, the Honourable Maurice Ashley, &c. but, I think, the Queen approves the Choice, and gives the Character.

On the 13th Her Majesty was pleas'd to order, That their Graces Henry Duke of Beaufort, and James Duke of Hamilton, should be sworn of Her most Honourable Privy-Council, and they took their Places at the Board accordingly.

Mr. Craven made Governor of Carolina

Dukes of Beaufort & Hamilton made Privy-Councillors.

*Decemb.*  
*Mr. Phipps*  
*Chancellor*  
*of Ireland,*  
*& Knight*  
*isd.*

*Lords*  
*Justices.*

*Commissioners*  
*of the*  
*Great Seal.*

*E. of Peterborough*  
*to go to*  
*Vienna, &*  
*E. Rivers to*  
*Hanover.*

*Capt. Delaval*  
*Envoy*  
*to Portugal*  
*& Mr. Hill*  
*Envoy and*  
*Plenipo-*  
*sentary at*  
*the Hague.*

*Mr. Dormer*  
*made*  
*Master in*  
*Chancery.*

*Damary &*  
*Purchase*  
*plead their*  
*Pardons.*

*Sir James*  
*Wishart &*  
*Mr. Clark*  
*made*  
*Lords of*  
*the Admir-*  
*alty.*

Moreover, Her Majesty having an Account from *Ireland*, that *Richard Freeman*, Esq; Lord Chancellor of that Kingdom, departed this Life on the 20th of the last Month, she was pleas'd now to appoint *Constantine Phipps*, Esq; who had been one of Dr. *Saccheverell's* Council at his Tryal, to succeed him in that Great Office, and soon after confer'd the Honour of Knighthood upon him.

In the mean time the Lord Primate, the Archbishop of *Armagh*, and Lieutenant-General *Ingoldshy*, provisionally acted as Lords Justices; and the Archbishop of *Dublin*, the Earl of *Kildare*, and *Thomas Keighly*, Esq; had the Custody of the Great Seal.

On the 1st, *Charles Earl of Peterborough* and *Monmouth* was by Her Majesty appointed to go to the Court of *Vienna*, to transact some important Affairs there; and *Richard Earl Rivers* to be Minister and Plenipotentiary to the Court of *Hanover*. *William Jeffreys*, Esq; was also some time before appointed to reside on the part of Her Majesty at the Court of *Sweden*.

It was also on the 1st, or the beginning of this Month, that the Queen thought fit to appoint *George Delaval*, Esq; to be Her Envoy and Plenipotentiary to the Crown of *Portugal*, in the room of the Earl of *Galway* recalled; and *Richard Hill*, Esq; to be Envoy Extraordinary and Plenipotentiary to the States General, and the same at *Brussels*, in the room of Lieutenant General *Gadogan*; but afterwards he was excus'd, and the Earl of *Orery* named.

Now it was that *Fleetwood Dormer*, Esq; became Master in *Chancery* in the Place of *Sir Richard Newport*, Knight. Neither are we to forget, that Admiral *Damary* and General *Purchase*, as a late Author merrily calls 'em, plead ed their Pardons at the *Old-bailie*, they having been condemn'd for High Treason, for heading the Mobb and pulling down the Meeting-houses, in *March* last, for which no body suffer'd. It was observ'd, that they were both very drunk when they came into the Court, and afterwards appear'd very frequently in the Court of *Request* and *Lobby*, as if they had a mind, their Merit should be taken notice of by both Houses of Parliament.

Neither are we to omit here, that Her Majesty thought fit to make some farther Alterations in the Admiralty Office, by appointing *Sir James Wishart*, Knight, and *George Clark*, Esquire, Lords Commissioners of the Admiralty, in the room of *George Daddington* and *Paul Mithuen*, Esquires.



On the 22<sup>d</sup> His Illustrious Highness *George Augustus* Electoral Prince of *Hanover*; as also *William Duke of Devonshire*, and *John Duke of Argyll* were installed Knights Companions of the Order of the Garter, at *Windsor*, *Charles Lord Halifax* being Proxy for His Highness.

*December*  
*Eleventh*  
Prince of  
Hanover,  
D. of Devon  
and D. of  
Argyle in-  
stalled at  
Windsor.

Officers  
disfaced.

Lieutenant-General *Meredith*, Major-General *Mar-  
tineau*, and Colonel *Windsor* having liberty to quit their  
Regiments, in consideration of so much Money order'd  
them by the Government, which did not think fit to im-  
ploy them any longer in the Service, on account of an  
Health drank by those Gentlemen last Campaign in *Flan-  
ders* that was not grateful to the new Ministry, they were  
succeeded in their Commands by *Mr. Windsor*, *Mr. Kay*,  
and *Mr. Clayton*: The Health was reported to be Con-  
fession to all the Duke of *Marlborough's* Enemies; which  
tho' not Criminal in it self, yet there might be something  
said previous to it, that might make it so. I with the dis-  
garded Gentlemen very well; and, that there might have  
been an Expedient found out to have sav'd their Com-  
mands; but since 'tis otherwise, I hope it will for the fu-  
ture be a Caution to the Men of the Sword, not to bulle  
themselves too much about any Chances in the Civil State,  
Lieutenant-General *Meredith* being also Gentleman of the  
Horse to Her Majesty, he was remov'd out of that Post  
also, and the Honourable *Coniers Darcy* put in his room.

Mr. Darty  
made Gen-  
tleman of  
the Horse.

On the last of this Month the Baron de *Bethune*  
Envoy Extraordinary from the Elector of *Hanover*,  
had his first private Audience of Her Majesty, to which  
he was introduc'd by the Right Honourable *Henry*  
*St. John*, Esq; one of Her Majesty's Principal Secretaries  
of State, and conducted by *Sir Clement Cottrel*, Master  
of the Ceremonies.

Hanover  
Envoy has  
Audience  
of the  
Queen, 31.

Having not Room, if we had Inclination, to launch out  
into the New Year, wherein there were grand Debates  
in the House of Lords, about the Management of the  
War in *Spain*, the Earl of *Galway's* Conduct censur'd and  
that of the Earl of *Peterborough*, after so long a Mortifica-  
tion and unaccountable Neglect, not only Justified, but  
he had the Thanks of the House given him, for his Un-  
parallel'd Service; of which, and other important Af-  
fairs, we shall, GOD willing, give a large Account in our  
next Volume. Till then, we will conclude the Body of  
this as usual, with the General Bill of Mortality.

## A Compleat HISTORY of EUROPE,

A General BILL of all the Diseases, Casualties, Christnings, and Burials, from the 13th of December, 1709, to the 12th of December, 1710, according to the Report made to the QUEEN, by the Company of Parish Clerks of London, &c.

## DISEASES.

|                      |      |
|----------------------|------|
| <b>A</b> Bortive     | 112  |
| <b>A</b> Aged        | 185  |
| Ague                 | 10   |
| Apoplexy             | 76   |
| Asthma               | 25   |
| Bedridden            | 2    |
| Bleeding             | 12   |
| Bloody-Flux          | 13   |
| Bursten              | 4    |
| Cancer               | 70   |
| Canker               | 14   |
| Childbed             | 217  |
| Chiloms              | 73   |
| Colick               | 83   |
| Consumption          | 2706 |
| Convulsion           | 6046 |
| Cough                | 4    |
| Diabetes             | 1    |
| Died with Fat        | 1    |
| Dropic               | 598  |
| Evil                 | 65   |
| Fever                | 4397 |
| Fistula              | 14   |
| Flux                 | 6    |
| French-Pox           | 55   |
| Gangrene             | 14   |
| Gout                 | 18   |
| Grief                | 7    |
| Gripping in the Guts | 707  |
| Headach              | 9    |
| Headmouldshot        | 15   |
| Hooping-Cough        | 5    |
| Horsehoehead         | 3    |
| Jaundies             | 78   |
| Impoffthume          | 59   |
| Infants              | 39   |
| Lethargy             | 3    |

|                         |      |
|-------------------------|------|
| Liver-grown             | 8    |
| Loosness                | 13   |
| Lunatick                | 26   |
| Malignant-Fever         | 6    |
| Measles                 | 11   |
| Mortification           | 99   |
| Pain in the Head        | 2    |
| Palsie                  | 22   |
| Piles                   | 1    |
| Plague in the Guts      | 1    |
| Pleurisie               | 24   |
| Purples                 | 56   |
| Quinsie                 | 8    |
| Rash                    | 4    |
| Rheumatism              | 24   |
| Rickets                 | 242  |
| Rising of the Lights    | 98   |
| Rupture                 | 21   |
| St. Anthony's Fire      | 1    |
| Scald-Head              | 1    |
| Scarlet-Fever           | 15   |
| Small-Pox               | 3138 |
| Sores and Ulcers        | 34   |
| Spleen                  | 1    |
| Spotted-Fever           | 343  |
| Stillborn               | 464  |
| Stone                   | 51   |
| Stoppage in the Stomach | 232  |
| Strangury               | 17   |
| Strongullion            | 1    |
| Suddenly                | 65   |
| Surfeit                 | 60   |
| Swelling                | 1    |
| Teeth                   | 1197 |
| Thrush                  | 69   |
| Phthifick               | 241  |
| Twisting of the Guts    | 12   |
| Tympany                 | 11   |
| Vomiting                | 6    |
| Water in the Head       | 9    |
| Worms                   | 75   |



## CASUALTIES.

|                     |       |       |
|---------------------|-------|-------|
| B Ruiled            | _____ | _____ |
| Burnt               | _____ | _____ |
| Died by Misfortune  | _____ | _____ |
| Drowned             | _____ | _____ |
| Excessive-Drinking  | _____ | _____ |
| Executed            | _____ | _____ |
| Found Dead          | _____ | _____ |
| Kill'd accidentally | _____ | _____ |
| Murder'd            | _____ | _____ |
| Overlaid            | _____ | _____ |
| Poison'd            | _____ | _____ |
| Scalded             | _____ | _____ |
| Self-Murder'd       | _____ | _____ |
| Stabb'd             | _____ | _____ |

Christned { Males 7640 } Buried { Males 11979 }  
 { Females 7288 } { Females 12849 }  
 In all — 14928. In all — 24828.

Increased in the Burials this Year — 2823.

ADD

# ADDITIONS

## TO THE

### Remarkables of the Year, 1709.

**T**HIS Gentlewoman was Born on the 8th of *The Life of*  
*March*, in the Year, 1661. being the Eldest *Mrs. Bur-*  
 Daughter of Sir Richard Blake, Knight, the fifth *net.*  
 Son of Thomas Blake, of Eatonstoun in the County of *Sou-*  
*thampton*, of an Eminent Family, and of Elizabeth, the *Birth and*  
 Daughter of Dr. Bathurst, a Physician in London; one of *Parentage*  
 eminent piety, and of the most Considerable Men of his  
 Profession in his Time.

At Eleven Years Old, she began to have a true Sense  
 of Religion, and with great Application read the Books  
 that were put into her Hands; and at a little more than  
 Seventeen, she was Marry'd to Robert Berkeley of *Spetchley*,  
 in the County of *Worcester*, Esq; Grandson of Sir Robert *First Mar-*  
 Berkely, that was a Judge in the Reign of King Charles I. *riage.*  
 which was chiefly promoted by the means of Dr. Fell,  
 then Lord Bishop of *Oxford*, who was that young Gen-  
 tleman's Guardian, had taken care of his Education,  
 and thought that this was the greatest Service he ever  
 did him.

Mr. Berkely's Mother being a zealous Papist, but a *Studies*  
 Woman of a good Life, this put the Daughter-in-Law *Controversy.*  
 upon studying her own Religion in a larger Compass, in  
 order the better to defend it against the Artifices and  
 Insinuations of the Popish Priests, and the Influences of a  
 Mother, who had great Interest in her Husband; but at  
 the same time she considered the particular turn of his  
 Mind, which made her very tender and careful, that  
 he might not be disturbed with unnecessary Disputes a-  
 bout Religion, in which, and in her whole Management  
 in this respect, there appeared a Discretion admired by  
 all that knew her.

*Her Piety.* At the same time, she endeavour'd to adorn her own Profession by a more than ordinary strictness in all the Offices of Piety; and living in the Country, where she had more Leisure, she spent most part of her time in Devotion and Reading, and when she would divert herself with Work, she had generally some Persons to read to her: Nay, when her poor Neighbours came to visit her, which they often did by the Encouragement she gave them, that she might instruct them, without seeming to take too much upon her, she would frequently read good Books to them. In this manner she liv'd for six Years, in very great Esteem by all that knew her. In King James's time, when the fears of Popery began to increase, and that Bishop Fell was Dead, she prevail'd with Mr. Berkely, for fear he should now be influenc'd to change his Religion, to go to *Holland*, with whom having travell'd over and met great Civilities in the seventeen Provinces, they afterwards settled at the *Hague*, where she was had in very high Esteem by Persons of the first Rank, till about the time of the Revolution, when they return'd into *England*, and went to his Country Seat at *Spetchley*.

*She goes with her Husband to Holland.*

*Return.*

*Her Friendship.*

Her Knowledge and Vertue made her every Day more and more taken Notice of in that Country. She contracted an intimate Friendship with that great Man, Dr. *Stillington*, then Lord Bishop of *Worcester*, who has been often heard to say upon several Occasions, that *He knew not a more Considerable Woman in England than she was*. Nor was she less esteem'd by the Dean of that Church, the present Lord Bishop of *Oxford*: But the Lord Bishop of *Worcester* that now is, having a particular Relation to her, treated her always with such Respect, and express'd his Esteem of her on all Occasions in such Terms, that her great Humility and Modesty, made her ashamed to receive it. Thus she continued to live with Mr. Berkely till the Year 1693. when he Died, and was Buried with his Ancestors at *Spetchley*.

*Mr. Berkely dies.*

*Her Hospitality.*

She had more time and opportunity in her Widowhood, to be Devout and Charitable than before, was very kind to her Deceased Husband's Protestant Relations; and having a plentiful Income, which she managed with great Prudence and a high Degree of Charity, while she continued at *Spetchley*, she kept an Hospitable Table, to which the Neighbouring Clergy were always Welcome; and those of them who were in low Circumstances, she frequently presented with most useful Books, and to some she generously lent Money, without requiring any Security.

She



She spent some time in *Worcester*, at the Bishop's Palace, with Bishop *Stillingfleet* and Mrs. *Stillingfleet*, with whom she had a more particular Friendship; and at the Commandary House of *Robert Wylder Esq;* who took a particular Care of her and her Concerns; for whom and his whole Family, she had a great Esteem and Friendship.

Mr. *Berkely* having by his Will order'd a great sum of Money to be raised out of his Estate to erect an Hospital at *Worcester* for poor People, she had it much at her Heart to see that brought to Perfection; and she lived so long till it was done. Besides this, she took upon her several Charges in relation to his Affairs more than the Law requir'd, in the payment of Debts and Legacies; and here she continued still an eminent Instance of Charity, to which she had engaged Mr. *Berkely* in his Lifetime, and that was the setting up a Charity-School for the Instruction and Education of Poor Children, which she afterwards increased to a much greater Number. She spent a good part of her time at *London*, with her only Sister, the Wife of Mr. Justice *Dormer*, who was always very dear to her; and she w'd a like Value for the great Integrity and Worth of the Judge.

She continued a Widow near Seven Years, and then *Maries* was Marry'd to the Right Reverend the Lord Bishop of *Salisbury*, where she found a Family of Children, which she treated with that Care and true Concern for their Education, as if they had been her own; and was indeed loved and respected by them, as if she had been their own Mother; of which the Bishop was so sensible, that he had by his Will then made, left them entirely under her Care and Authority, in so absolute a manner; that it had been seldom known that so much was trusted even to the proper Mothers of any Children; the Bishop who judg'd right, that he brought Blessing and Happiness enough to his Family, by bringing herself in to it, desir'd her to secure all her own Estate and Income to herself, with a Power to make such a Will as she pleas'd. After this, she extended her Charity farther than she had done before, and particularly the number of Children taught at her Expence, in and about *Worcester* and *Salisbury*, were above an Hundred. Now she grew into a more general Acquaintance, and enter'd into Conversation with some Persons of the highest Quality, which still she improv'd to do Good. She kept a constant Journal of her Life, tho' she continually labour'd under a weak Disposition of Body, which at length grew so much upon her, that it was thought she could

## Additions to the Remarkables

not easily get over it; and therefore she was advised to go to the Snow, which she did in 1707. and after her return, seemed to be in a much better State of Health, and bore the severity of the beginning of the Winter, 1708. so well, that her Friends hoped her Constitution was grown Stronger than it had been; but upon the breaking out of the Frost on the 27th of January following, she was taken with a Pleuritic Fever, the Symptoms of which were not Violent; nor were her Friends at first apprehensive of her Danger, but her Lungs being weak, she sunk under it in a few Days, and died on the 3d of February, 1708-9. and was buried at Spetchley by her former Husband, according to a Promise she had made him, as appear'd by this Clause in her Will. *I WILL that my Body be buried in the Parish-Church of Spetchley in the County of Worcester, in a Vault made by me for my former Husband, Robert Berkely Esq; and myself. I order this to fulfil a Promise I made to him; not out of any want of Respect or Kindness to my present Husband, who has by his great Kindness and Confidence, deserved from me all the Gratitude and Acknowledgments of Love and Respect I can testify.*

*Her Death  
and Burial.*

*Clause of  
her Will.*

*Her Cha-  
racter.*

She knew exactly how to distinguish between the Means and End of Religion, and came up to the strictest Rules of Piety in her Devotion, both in Private and Publick; She was heartily affected to the Constitution of the Church of England: She had no skill in the Learned Languages; but by the help of Commentators, and frequent Converse with Divines, obtained a great degree of knowledge in the Scriptures; and tho' her Mind was naturally inquisitive, her Apprehension quick, and her Judgment solid, yet she confined her Enquiries to a few things; and therefore when she had made some Progress in Geometry and Philosophy, she laid these Studies aside, tho' she had a Genius and Relish for them, and apply'd herself wholly to the one thing necessary.

Her Benefactions have in part been already mention'd among which, there were many private ones: Nay, her Charity was very extensive to all those that differed from her in Matters of Religion, especially where they seem'd to be Sincere, tho' Erroneous; and this not only to the Divisions amongst Protestants, but also to the Papists; yet this Character of hers did not at all hinder her from being steady to her Principles, as appeared in the whole course of her Life, so in her last Will, wherein she declared, that she desir'd to die as she lived, in a full Communion with the Establish'd Church of this Realm, and in a Communion of Charity with

of the YEAR, 1709.

with the whole Body of Christians throughout the World, especially with all that worshipped God in Spirit and in Truth, and were not defiled with Idolatry and Superstition.

Her Conversation was entertaining and engaging, but she took formal Visits to be one of the Burdens of Life. She suited herself in her general way of Discourse to the Company she was in, as far as was consistent with the Rules of Decency and Charity; hated Back-bitings, and was not apt to Censure those that did not come up to the strictness she oblig'd herself to. Her Humility appear'd in her whole Conversation, in a becoming Modesty towards her Superiors, in an obliging Civility to her Equals, and most eminently in a kind Condescension to those that were below her. She was most constant in her Friendship, and would freely give her Advice to those she was most intimate with. And Lastly, she was a most excellent manager of her Time to the best Advantage of others as well as herself.

She Wrote a *Method for Devotion: Or Rules for Holy and Devout Living*, with Prayers on several Occasions, and Advices and Devotions for the Holy Sacrament. She was prevail'd with to consent to the Printing of the first Edition of this Book, which as well as the Second, were all entirely her own Composing, without any Assistance, or Addition by any Person whatsoever. This being very much approv'd by many of her Friends, she thought she could make it more Useful, by adding a great deal to it out of many other Papers she had by her, and she Printed a Second Edition at her own Expence, that she might dispose of it among those whom she thought most likely to be improved by it.



# THE REMARKABLES OF The YEAR 1710.

*Jan. 1*  
*July*  
*Sir Tho.*  
*Littleton's*  
*Death.*

*Manager*  
*in the Con-*  
*vention.*

*Treasurer*  
*of the Na-*  
*v.*

ON the first of this Month died Sir Thomas Littleton, Baronet; he was the Son of a Father of both his Names, and having an Elder Brother, was put Apprentice to Sir John Moor, Citizen, and sometime Lord Mayor of London, with whom having continued for some time, in the interim of which his elder Brother died; his Father, with Sir John's Consent, took him away, and gave him liberal Education, so that in time he became a Member of the Convention-Parliament, in 1688-9. for Woodstock in Oxfordshire, and one of the Managers of the House of Commons, at a free Conference held with the Lords, about the Words *Abdicated* and *Deserted*, wherein he acquitted himself with Applause: He was elected a Member for the same Place in some of the ensuing Parliaments. and once for *Castle-Rising*. He was chosen Speaker of the House of Commons in that Parliament which sat in *December*, 1698. and in the Year 1700, upon the Resignation of *Edward* Earl of *Orford*, he was made Treasurer of the Navy, which Place he held till his Death; some time before which, having no Child of his own, he procured the Honour of the Baronetship (as I have been informed) to be entailed on his great Nephew, Captain Littleton's Son, whom he then undoubtedly design'd for his immediate Heir: But altering his Mind, he left his Estate to the Captain, upon Condition he should pay his Lady a large Annuity out of it; some said 1000 l. *p. r. Annum*, and then to his Son, who now is, or very lately was, a Lieutenant of Marines. Captain Littleton

## The Remarkables of the Year, 1710.

7

*Lincolnton* himself is gone Commadore to the *West-Indies* *January* dies.

Sir *Thomas* was a Man of Wit and good Understanding Character. ing, quick at Repartees, and an useful Member in the House of Commons.

The same Day, viz. 1st, proved fatal to Dr. *William D. Lloyd's* *Lloyd*, the deprived Bishop of *Northwich*, at his House in *Death* *Hammer-smith*. He was in 1691. succeeded in the Bishoprick by Dr. *John Moor*, now Lord Bishop of *Ely*. This Dr. *Lloyd* was first Bishop of *Landaff*, to which See he was Consecrated April the 19th, 1675, from whence he was Translated to *Peterborough*, in 1679. where having continued till the latter end of *July*, 1685, he was promoted to the Bishoprick of *Northwich*, being succeeded in that of *Peterborough* by Dr. *Thomas White*. Dr. *Frampton*, the deprived Bishop of *Gloucester*, died as I take it, about a Year ago; so that none of the Non-juring Bishops are now alive, but Dr. *Ken*, sometime Bp. of *Bath* and *Wells*. I do not find that this Bishop since his Deprivation, ever medled much with the Publick, by which he avoided much trouble; but by an intercepted Letter from the Earl of *Melfort*, to his Brother the Earl of *Perth*, about the beginning of the Year, 1701. It appear'd the Court of *St. Germans* had a great Opinion of him; some of the words of the Letter being these, "The King (meaning King *James*) cannot but be sensible, that the True Church of *England* Party and their Provincial Head, the Bishop of *Northwich*, has been Silent for a long time, and their Majesties may remember, what Weight the Court of *St. Germans* laid upon their joyning the King, (I mean the Non-swearing Clergy) in case of a Landing; therefore all Arts should be used without delay, to get them to enter into a Correspondence again, and every Impediment ought to be removed, I lay, without Exception.

On the 3d, *Nathanael Fienes*, Viscount, and Baron *Say Lord Say and Seal*, departed this Life; his Great Grandfather *William*, Baron *Say and Seal*, was created a Viscount on the *Death* 7th of *July*, 1624. being the 22d Year of King *James I.* and died on the 14th of *April*, 1682. *James* his eldest Son, succeeded him, who died on the 15th of *March*, 1673. without Issue Male, and was Uncle unto *William*, to whom his Honours descended; which *William* was the Father, as I take it, of *Nathanael*, now deceased. The Title of Baron *Say and Seal* was conferred on Sir *James Fienes* Knight, Summoned to Parliament by a Special Writ, bearing

*January.* Date at *St. Edmund's Bury*, on the 3d of *March*, 1604, being the 24th Year of the Reign of King *Henry VI.* in regard that *Joan* his Mother was third Sister and Co-Heir to *William de Say*, a descendant of the ancient Barons *Say*, with the assent of the Lords Spiritual and Temporal. The third Day after which, *James*, Lord *Say and Seal*, for further corroboration of that Dignity, upon the first of *November* then next following, had a sole Confirmation and quit Claim thereof, from *John*, Lord *Clinton*, as also of the Arms of *Say*, which by reason of the Descent of the said Lord *John* from *Idonca*, the Eldest Sister of the before specify'd *William de Say*, did or might belong to him; but the Title being discontinued in his Grandson, for want of Summons to Parliament, altho' he and his Posterity stilyed themselves Lord *Say*, King *James I.* by Letters Patent Dated at *Hampton Court Aug. 9th*, 1603. in the first Year of his Reign, fully recognized and confirmed to *Sir Richard Bennis*, and to the Heirs Male of his Body, the said Title of *Baron Say and Seal*; which Noble Lord was Father to *William*, made Viscount, as aforementioned.

The Viscountess Dowager of *Say and Seal*, and the Mother-in-Law of the Lord last Deceased, was some Months before Marry'd to *Vincens Orkley*, Esq.

*Lord Fairfax's Death*

On the 6th, died *Thomas Lord Fairfax*, Baron of *Cameron* in North Britain: This Noble Lord fell in bravely with the Revolution in 1688. soon after came to be Lieutenant Colonel of one of the Troops of Guards, and then Colonel of Dragoons, which he had quitted long before he died. He was several times elected Knight of the Shire for the County of *York*, and always well beloved in his own Country.

*Earl of Essex's Death.*

On the 10th of this Month died *Algernon Capel*, Earl of *Essex*, Viscount *Maldon*, and Baron *Capel* of *Hadham*: This Noble Lord was the only Son that survived, of *Arthur Capel*, Lord *Capel*, who was advanced to the Degree and Dignity of Viscount *Maldon* in *Essex*, and of Earl of that County, on the 20th of *April*, in the 13th Year of King *Charles II.* being the second Coronation Earl, and was afterwards Lord Lieutenant of *Ireland*, a Privy Councillor, and came to a very unhappy End in the *Tower of London*, in 1683. Which Earl *Arthur* was Son to the most Loyal *Arthur Lord Capel* of *Hadham*, in the County of *Hertford*, on whom that Title was conferred by Letters Patent, bearing Date the 6th of *August*, 1641. being the 13th Year of the Reign of King *Charles I.* who courageously attempt-



## The Remarkables of the Year, 1710.

attempting to rescue that Prince from his first Imprisonment in the Isle of Wight, and miscarrying in the Enterprize, suffered Death soon after his Sovereign, on the 9th of March 1643, he being descended by a successive Series of Six Knightly Generations, from Sir William Capel, Knight, Lord-Mayor of London, Anno 1504. (20 Hen. 7.) Son of John Capel of Stoke-Nailand in Suffol.

The Earl now deceas'd, some Time after the Accession of K. Will. and Q. Mary to the Throne, marry'd the Lady Marriage Mary Bentinck, second Daughter of W. Bentinck, Earl of and Pre-Portland, became one of the Gentlemen of the K's Royal Chamber, Colonel of the Second Regiment of Dragoons of England, Lord-Lieutenant of the County of Hereford, Custos Rotulorum for the said County, and also for the Town of St. Albans in Hertfordshire, and Liberty of the same.

He made several Campaigns with King William, and upon Her present Majesty's Accession to the Throne was continu'd in his Posts. In 1706 he went next Commander to Earl Rivers upon an Expedition into Portugal and Spain, from whence returning, after they had landed the Troops at Alicaut, and left them there to be knock'd on the Head (without any fault of theirs) by the half-brain'd Conduct that ensu'd; the Earl of Essex, upon the Removal of the Earl of Abington from being Constable of the Tower of London, was advanc'd into that Post, to the Dignity of Lieutenant-General, and very probably might have liv'd longer in the Enjoyment of them, if Temperance had been any thing like a predominant Virtue in him.

The Earl was succeeded in Honour and Estate by his Son William, a Youth then about Twelve Years of Age, besides whom he has left Two Daughters behind him. Earl Rivers succeeded him in the Constableship of the Tower. Children.

Monsieur Dusel dy'd at Rouen on the 12th, in the Parish of St. Croix, at the Age of 110 Years, and was never sick before. Mr. Robois, a Wine-Merchant of Paris, living in St. Mar-Street, departed this Life on the 26th of July, at the Age of 102. Gabriel Bonnet of Brende, in the Diocese of Aleth, dy'd on the 31st of July, Aged 104, having work'd at his Gardening Trade till the Eve before his Death.

The 21st of this Month prov'd fatal to John Ashburn Lord Ashburn, Baron Ashburnham, of Ashburnham in the County of burnham's Suffex, in a good Old Age, at his House in Southampton-Street,

**January.** *Street, near Bloomsbury-square.* This noble Lord was the chief Heir Male of the Knightly Family of *Asburnham*, lineally descended from *Ankerel Fitz-Piers*, Lord of *Asburnham* aforesaid, in the Time of *William I* surnam'd the Conqueror; he was created a Baron, by the Title of Lord *Asburnham*, of *Asburnham* before specify'd, by Patent dated May 30, 1689, in the first Year of the Reign of King *William* and Queen *Mary*. This noble Lord was succeeded by his Son *William* in Honour and Estate.

On the last Day of this Month the Countess of *Derby* was brought to Bed of a Daughter.

**February.** Sir *Robert Atkins* was the Son of Sir *Edward Atkins*, some Time one of the Judges of the *King's Bench*, in the Sir *Robert* troublesome Times, before the Restoration; this *Robert Atkins*'s betaking himself early to the Profession of the Law, Life. made great Progress in that Study, and practis'd the Profession. same with Success.

This Gentleman, among others, was, at the Coronation of King *Charles II.* in 1661 created Knight of the *Bath*, tho' that Title is not added to his Name in the publick Register of the University of *Oxford*, where, with several Persons of Quality, he was on the 28th of September created Master of Arts, in a full Convocation then celebrated. In 1671 he was made a Serjeant at Law, and the next Year his Majesty King *Charles II.* was pleased to advance Sir *Robert* to be one of the Judges of the Common-Pleas.

**Lord chief Baron.** Sir *Robert Atkins*, upon the Revolution, of which he was a zealous Promoter, was in May 1689 made Lord Chief Baron of the *Exchequer*, this being the first Promotion of Judges made by King *William* and Queen *Mary* in the Courts of *Westminster-Hall*; the other Barons of the *Exchequer* being, Sir *Edward Neville*, *Nicholas Lechmere*, and *John Turton*, Esquires. Sir *Robert* was also constituted Speaker of the House of Lords some Time after, which great Dignity he held till March 1692-3, at what time Sir *John Somers*, Knight, being from Attorney-General advanced to be Lord-Keeper of the Great Seal of England, the Commission, as usual, for performing the Office of Speaker to that House, was given him.

**Resign.** Sir *Robert* held the Post of Lord Chief Baron of the *Exchequer* till the Spring of the Year 1695, at what time he was pleased to resign his Place, and was succeeded therein by Sir *Edward Ward*, then Attorney-General. It was the general Opinion that Sir *Robert* was disgusted that he had not the Place of Master of the Rolls given him;

*The Remarkables of the Year, 1710.* 11

him; hereupon he retires to his Seat in *Glocestershire*, February, where spinning out his Life to the uncommon Age of *Eighty Eight Years* and upwards, Death at length put a *Age and Period* to it in the Spring of this Year, but the exact *Death*. Time I cannot assign.

Sir Robert Atkins was the Eldest Brother of Sir Edward Atkins, some Time Lord Chief Baron of the Exchequer in the Reign of King Charles II. but had his Quierne in that of King James II. about the Month of April 1686; and this Sir Edward was the Father of that most gallant Gentleman Sir Richard Atkins, some Time Colonel of a Regiment of Horse in the Reign of King William III. who died an early, and I may say an immature Death, to the Regret of all that knew him. Sir Robert Atkins was for some Time at ill Terms with his own Son, Sir Robert Atkins, Junior, of Saperton, in the County of *Glocester*, a Gentleman of singular Merit; for Sir Robert having settled his Estate upon his Son, and the Issue Male of his Body, of which he has none; and upon that Failure on the Male Issue of Sir Edward Atkins, his Brother, above-mention'd, but afterwards giving way to part with some of the Lands, and to purchase others in lieu of them of more Conveniency to the Estate, on Condition they might be settled as aforesaid, it occasioned a Law Suit between Father and Son, but how determin'd I cannot tell. *Law-suit.*

Sir Robert Atkins was the Author of these following Works. Pieces. 1. *An Enquiry into the Power of dispensing with Penal Statutes*; together with some Animadversions upon a Book written by Sir Edward Herbert, Lord Chief Justice of the Common-Pleas, entituled, *A short Account of Authorities in Law*; upon which Judgment was given in Sir Edward Hale's Case, 1689. 2. *The Power, Jurisdiction, and Privilege of Parliament, and the Antiquity of the House of Commons asserted*; occasion'd by an Information in the King's Bench by the Attorney-General against the Speaker of the House of Commons, London, 1689; with which is printed, *A Discourse concerning the Ecclesiastical Jurisdiction in the Realm of England*; occasion'd by the late Commission in Ecclesiastical Causes. Sir Robert also writ a Book against the exorbitant Growth of the Chancery.

The 22d Day of this Month put a Period to the Life of Monsieur Charles Maurice le Tellier, Archbishop of Rheims, first Peer of France, Legate by Birth of the Holy Apostolick See, Commander of the Order of the Holy *Archbishop of Rheims Death, 22.*



# 12 The Remarkables of the Year, 1718.

*February.* Holy Ghost, Dean of the Council of State, and Provost of the Sorbonne.

The Archbishop was the Son of Monsieur le Tellier, some Time Chancellor of France, and the Brother of that great Statesman Monsieur Louvois, of whose Parts he was reputed to come very short. By his last Will and Testament he made his Niece, the Marchioness de Crey, his sole Executrix, and his Nephew, the Abbot de Louvois, wanting no Library, as being the King's Librarian, he bequeath'd his famous Library to the Monks of St. Genevieve de Rheims, on Condition, that they keep it open for the Good of the Publick.

In or about the beginning of this Month the Countess of Dorset was safely brought to Bed of a Daughter.

*Captain Mor-daunt's Death, 24.*

On the 24th the Honourable Captain Henry Mordaunt, second Son to Charles Earl of Peterborough and Monmouth, after he had languish'd for several Days, died of the Small-Pox, a Distemper that this Year became very fatal to several illustrious and worthy Personages. This Gentleman had the Command of a Company of Foot in his Uncle Lieutenant-General Mordaunt's Regiment, and having been also bred to the Sea Service, he distinguish'd himself there upon several Occasions, and particularly in the Year 1707, when being Captain of the Resolution Man of War, and having on board the Earl his Father, bound from Barcelona to Genoa, with whom sailed the Enterprize and Milford-Haven, they fell in with Six large French Men of War, just come out of Toulon; the Earl, who had no Business to fight there, went on board the Enterprize, and got safe to Leghorn, the Milford-Haven also escap'd, but the Resolution maintain'd a Fight with the Enemy's Squadron from Six in the Morning till Three in the Afternoon with wonderful Resolution and Bravery; but the Captain seeing at last there was no Possibility to get clear, run his Ship ashore and burnt her, he himself having been wounded in the Thigh. The Earl his Father, as soon as he was able to travel, procur'd him a Pass to return Home thro' France. This noble Commander, having suffered much in the Length of the Cure, design'd to go to Sea again, but was prevented by Death, as aforesaid, and was as much lamented as any Young Gentleman of his Time, he being very much esteem'd for his Valour, Affability, Temperance, and other Virtues.

*Bishop of Bristol's Death, 4.*

On the 4th Doctor John Hall, Bishop of Bristol, and Master of Pembroke-Hall in the University of Oxford, departed

parted this Life: He is succeeded as Master by Doctor *February*  
*Charles Sloper*. This Doctor *Hall* took the Degree of  
Doctor in Divinity in 1669, and on the 30th of *August*  
1691 he was consecrated Bishop of *Bristol*, upon the Tran-  
slation thence of Doctor *Gillbert Ironside* to the See of  
*Hereford*. He was a pious Man, but there being nothing  
extant of his Writing, that I know of, I can say no more of  
him.

*Lewis Duke of Bourbon*, Prince of the Blood, Chief of *March*  
the Branch of *Bourbon-Condé*, Grand Master of the Hou-  
shold, and Governor of *Burgundy* died on the 3d Instant *Duke of*  
in the 42d Year of his Age. The King gave his Eldest *Bourbon's*  
Son, the Duke of *Enghien*, the Office of Grand Master *Death*, 3.  
and Governor of *Burgundy*. He is to assume the Title  
of Duke of *Bourbon*, that of Prince of *Condé* having sunk  
it seems with his Grandfather, as well as the Dignity of  
first Prince of the Blood.

On the 11th the Dey of *Algier* was shot in the Coun- *Dey of Al-*  
cil-House, after he had reign'd Three Years and Four *gier kill'd,*  
Months. The Conspirators were only five *Turks*, who *11.*  
had either been banished, or fled from thence, and entered  
that City armed the same Morning. One of these Men  
was immediately chosen by the Divan into the Place of  
the Murdered, and his Associates advanced to the most  
considerable Posts. The new Government was in great  
Confusion, whilst the late Dey's Son-in-Law remained  
with a small Army in the Field; but upon his March to  
force that Place to his Obedience, he was assassinated by  
his Followers in sight of *Algier*, after their most solemn  
Engagements to assist him. He resolutely defended him-  
self for some Time, and kill'd Seven Men on the Spot;  
but at length was oppressed and slain by the Multitude.  
He was a great Lover of the *British* Nation, and had a  
particular Esteem for the Consul, and as great an Aver-  
sion to the *French*.

The 5th of this Month proved the last Day of the *Sir John*  
Life of that great and eminent Judge *Sir John Holt*, Kt. *Holt's*  
at his House in *Bedford Row*, in the 67th Year of his *Death*, 3.  
Age. He was born in the County of *Berks*, being the  
Son of *Sir Thomas Holt*, Knight, and Serjeant at Law.

# 14 The Remarkables of the YEAR, 1710.

*March.* Mr. Holt being entred in *Gray's Inn*, sedulously applied himself to the Study of the Common-Law, and being admitted to the Bar, in some short Time became an eminent Pleader, insomuch that when the Earl of *Danby*, now Duke of *Leeds*, was in 1678 impeach'd in Parliament by the Commons, the Lords appointed Serjeant *Raymond*, Mr. *Saunders*, afterwards Chief-Justice, and Mr. *Holt*, to be of his Council, but the Commons by a Vote, which was posted round *Westminster-Hall* and the Parliament-House, prohibited the same upon the severest Penalties.

*Recorder of London.* Improving daily in Reputation and Practice, and Sir *Thomas Gennet*, Recorder of *London* in *February* 1685-6 being prefer'd to be one of the Barons of the *Exchequer*, Mr. *Holt* was made Recorder in his room, and at the same time received the Honour of Knighthood.

Having discharged this Office with much Candor and Applause for about a Year and a half, and King *James* having a mind that an Act made in the Reign of *Edward VI.* which made it Felony, without Benefit of Clergy, for any Soldier taking Pay in the King's Service, in his Wars beyond Sea, or in *Scotland*, to desert from his Officer, should be extended to the Army he had raised in time of Peace to enslave the Nation, Sir *John*, because he would not interpret this Law to the King's Mind, was disgusted with the Times, and resign'd his Recorderhip.

*Resigns.*

Being chosen a Member in the Convention-Parliament, called by the Prince of *Orange*, to settle the Nation upon King *James's* withdrawing into *France* in 1688, he was appointed to be one of the Managers for the Commons, at the Conferences held with those of the Lords about the Abdication, and the Vacancy of the Throne: He had an Opportunity to shew his great Abilities and Inclinations upon that solemn Occasion, and 'tis not at all unlikely but that it forwarded his Advancement; for the Government being settled, and King *William* and Queen *Mary* being fixed upon the Throne, Sir *John Holt* was on the 4th of *May* 1689 made Lord Chief-Justice of the *King's-Bench*, Sir *William Dolben*, Sir *William Gregory*, and *Giles Eyres*, Esq; being the other Three Judges so constituted at the same time, as well as those of the *Common-Pleas*, and Barons of the *Exchequer*; and some time after, viz. on the 25th of *August*, he was admitted into his Majesty's most honourable Privy-Council.

*Manager at the Abdication.*

*Chief-Justice.*



## The Remarkables of the Year, 1718. 107

A Detail of the several remarkable Cases that came March before him during his Administration would make up a good Volume: That of the Lord *Banbury* was of great Remarkable moment; he petition'd the House of Lords to sit amongst *able Cases* them, as a Peer, and also to have the King's Leave before him: the Lords determin'd he was not a Peer, yet when he was brought upon an Indictment by the Name of *Charles Knowles*, Esq; to the *King's-Bench* Bar, and pleaded and insisted he was a Peer, the Plea was allow'd, and he not try'd, for which the Lord Chief Justice was order'd to appear before the LORDS, and there stoutly standing by and justifying his Conduct in that Affair, the whole Matter pass'd without any farther Notice or Censure. But the most noted of all, I think, was that of *Ashby and White*, about the *Milesbury* Election; for one *Matthew Ashby* having commenced and prosecuted an Action at Common-Law against one *William White*, Mayor of *Milesbury*, and others the Constables of that Town, for refusing to admit his Vote at an Election of Burgesses to serve in Parliament for the said Borough; but being cast, and bringing an Appeal into the House of Lords, their Lordships, upon strict Examination of Witnesses, and after mature Deliberation, gave Judgment in favour of *Ashby*, thereby asserting both the Rights of the Electors and Freedom of Elections: This occasion'd great Contests between the Two Houses, and the Commons having committed Five of the *Milesbury* Men to *Newgate* for prosecuting such Suits, they brought their *Habeas Corpus's* to the Court of *Queen's-Bench*, where their Council having learnedly stated and argued the Case of their Clients, and tho' the Lord Chief-Justice his Three Brother Judges on the Bench, and the other Eight in *Westminster-Hall*, were against his Opinion, and for justifying the Authority and Proceedings of the Commons in the Point of the Commitment, against which no *Habeas Corpus* could lye; yet his Lordship differed from them all, and his Reasons upon that Occasion were so convincing, that they are worth every *Englisman's* Perusal. *Vid. Annual History for 1705, p. 33.*

I might have observ'd before, that when the Lord Chancellor *Somers* parted with the Great Seal in 1700, and that the same continued undisposed of for some Time, I do not know whether there was any Certainty in the Report then given out, that his Majesty should press my Lord Chief-Justice to accept of it, and that he should reply, "That he never had but one *Chancery* Cause in his Life, which he lost, and consequently "could not think himself fitly qualify'd for so great a "Trust. Upon

March.

Upon the Accession of Her present Majesty Queen Anne to the Throne, tho' there had been an Act made in the Reign of King William III. Impowering all Persons in Offices of Trust to act therein after his Decease as before, for Six Months, unless otherwise displaced by the Successor, yet his Lordship politically declin'd it, and so got himself presently establish'd in his Post by a new Patent.

Estate.

He marry'd a Daughter of Sir John Cropley, Baronet, whom he has left a Widow, and without Children, and for whom he has made plentiful Provision during her Life. Mr. Penn and Mr. Longville he left Executors in Trust. The Bulk of his Estate, which is very considerable, among which he had purchas'd that of the Barony of Redgrave in Suffolk, Premier Baronets of England, he left to his Brother Rowland Holt, Esq; and his Children. The Reversion of the Place of chief Prothonotary of the King's-Bench having been granted by King Charles II. to his natural Son the Duke of Grafton, and the same becoming vacant after the Duke's Decease, in my Lord Holt's Time, there was a Contest in Law between him and the Young Duke of Grafton about the Disposal of it: The Matter was at length accommodated by the Interposition of the King himself, who, tho' my Lord might have, and had the Right, brought his Lordship to make a handsom Allowance out of the Profits to an Orphan, who had lost his Father in the Publick Service of his Country. My Lord gave the Place to his Brother Mr. Rowland Holt, who now enjoys it.

Character.

As no Lord Chief-Justice ever perhaps continued in that Post so long as he, who administer'd Justice in that high Station for One and Twenty Years, save Two Months; so there never was an abler, more unbiass'd, and uprighter Judge since England was a Nation. He was a perfect Master of the Common Law; and as his Judgment was most solid, his Capacity vast, and Understanding most clear, so he had a Firmness of Mind, and such a Degree of Courage and Resolution, as never to be brought to swerve in the least from what he deemed to be Law and Justice. and could not be overaw'd therein even by any part of the Legislature it self. Some Time before he died he published Keeling's Reports, with some Notes of his own upon them.

On the 23d of this Month in the Morning *George March*.  
*How*, Doctor of Physick, died suddenly in the *Poultry*,  
*London*, of an Apoplestick Fit. He was the Eldest Son *Dr. How's*  
of the Reverend Mr. *John How*, an eminent Presbyte-  
rian Minister and Writer in his Time, the Particulars  
of whose Life you have in my History of the Year  
1705, to which the Reader is referr'd. The Doctor  
himself told me he was born at *Plymouth* in *Devonshire*,  
where, I presume, his Father then exercised his Mini-  
sterial Function, and after having successfully gone thro'  
Grammaticals, was first, if I mistake not, sent to study  
Academical Learning in *Scotland*, and afterwards Phy-  
sick at *Leyden* in *Holland*, upon which returning into his  
Native Country to practise his Faculty, wherein he had  
taken his Degrees, he for some Years frequented *Tun-*  
*bridge* for the Season with good Success. He was adm-  
ted to be a Fellow of the Royal College of Physicians,  
*London*, by virtue of the new Statutes granted that learn-  
ed Body by King *James II.* But at length Business in  
the Town increasng upon him he left off *Tunbridge*,  
and had great Practice for about Ten Years before his  
Death, but grew so eminent in the four or five last Years  
of his Life, that he was justly reputed the second Phy-  
sician of *England*. It seems he kept an exact Account  
of his Income, and that he acquired the last Year of all  
2830 l. by his Practice.

Born at  
Plymouth

Studies.

Admitted  
into the  
College of  
Physicians.

eminent in  
Practice.

Doctor *How* upon the Death of his eminent Friend  
*Dr. Edward Tyson*, who departed this Life suddenly on  
the First of *August* 1708, made his Will, and died after  
the same manner as the other did, in the 55th Year of  
his Age.

Doctor *How* marry'd the Daughter of *Phillip Foley*,  
Esq; of the County of *Stafford*, who survives him, and  
her four Children she had by him, viz. Two Sons, and  
as many Daughters, for all which he has made good  
Provision, notwithstanding he was other ways exceeding  
generous and charitable; and his Distributions were not  
kept so secret, tho' he design'd them so; but that after  
his Death I have heard some Particulars of them that  
were extraordinary: He was one of the Governors of  
*St. Bartolomew's Hospital*, so he was of *Bethlem* and  
*Bridewell*.

Marriage.

Family.

Charitable.

He was, without Dispute, a most excellent and most  
judicious Physician, a very fair Practitioner, and abhor'd  
the mean way of getting away any others Patients by sly  
Insinuations of Ignorance, or other Incapacities; but  
being very good humour'd, communicative and friend-

Character.



*March.* ly to all, was, I believe, the least envy'd of any eminent Physician this Nation ever produc'd.

*Burial.* His Corps was bury'd on *Thursday* the 30th Day of *March*, as I take it, in *Bread-street Church*, where his Father, who had been formerly Minister of the Place, was interr'd: I have been told the Doctor's own Mother dy'd suddenly as well as himself.

*Cardinal Sperelli's Life.* *Sperello Sperelli* was born at *Affisi* in *Italy* on the 15th Day of *August* 1639, and from the time that he set out from his Father's House to go and reside at *Rome*, he always gave extraordinary Proofs of an unspeakable Modesty, Uprightness, Integrity and Application, not only to the Divine Service, but likewise to Human Affairs:

*An Abbot.* When he wore the Habit of an Abbot he commonly frequented the College for propagating the Christian Faith, but he afterwards enter'd into the Service of the deceased

*Auditor to Cardinal Franzoni.* Cardinal *Franzoni*, in the Quality of his Auditor; after whose Death he served Cardinal *Felix Respighini* in the same Quality: Those Two Cardinals very soon gave him true Marks of their Affection, both the one and the other of them making him frequent Offers of Bishopricks,

which he constantly refused, till he was forc'd by *Innocent XI.* at the Desire of Cardinal *Cybo*, at that time Prime Minister of State, to undergo the Examination for the vacant Church of *Terni*, which the Pope had design'd for him, and obliged him to accept: Having enter'd on the Administration of his Pastoral Function, the prudent and pious Ways he took for the Government of it were very remarkable; he gave so good an Example by his Zeal and Fervour for the Divine Service to all Clergymen,

*Made Bishop of Terni.*

that when *Innocent XII.* was exalted to the Papal Chair, he called *Sperelli* to the Post of Vicegerent, he having some Years before resigned the Church of *Terni* to his Brother, who was formerly Prior of the Cathedral Church of *Affisi*. He gave great Demonstrations of his Moral Vertues, and attended punctually on the Duties belonging to his Function of Vicegerent; and whereas others who had been his Predecessors in that Office had obtained the universal Hatred of the People, because of the nice and troublesome Affairs that come before them, *Sperelli* carry'd himself so prudently and dextrously in his

*His Behaviour as Vicegerent.*

Office, that he found means to provide against all manner of Scandal, by obliging the Offenders to make Reparation; and at the same time acquired to himself the good Will and Affection of every Body: The Pope had so great an Opinion of him, that tho' it had been the Custom Time out of Mind to refer always to the Cardinal.

nal-Vicar the Memorials that were given to the Pope, he remitted them all to the Vicegerent, as confiding entirely in his great Prudence and Probity. *Carpegna* the Cardinal-Vicar being exasperated at this, fell several times into a Passion against *Sperelli*, and even complained of it one Morning before the Pope, when the Vicegerent was present, to whom the Pope had recommended the answering of a certain Memorial concerning some Nuns: This gave Occasion to the Pope, when Cardinal *Carpegna* was gone, to use these Expressions to *Sperelli*: *We are the Master, and we will remit to you all the Memorials*: Upon which *Sperelli* humbly entreated him to let Things run on in the ordinary Course, he being able to assure him that the Cardinal-Vicar took care to have all Matters that were brought before his Tribunal decided according to Justice and Equity.

March.

*Sperelli* had been advanc'd to the Cardinalship in the first Promotion that *Innocent XII.* made in the Year 1695, had not backbiting Tongues attempted to crush this rare Plant in the Bud, and by their false Calumnies made the Pope defer his Resolution: They prepossest the Old Gentleman with a Story that *Sperelli*, in the time that he was in the Service of Cardinal *Franzoni*, had been imprisoned upon Suspicion that he had been accessory, by giving his Consent, to the Murder of Count *Ulderico Fiume*, Cousin to the *Sperelli*'s, who were supposed to have made away with him upon the Account of a certain Law Suit that was between them; but the Supposition was very ill grounded, for the Law Suit, upon which the Presumption of their being the Murderers was chiefly grounded, was not lost, but gained by the said *Sperelli*'s. But during all the Time that the Process was carrying on, it fell upon the poor Abbot *Sperelli* to bear the Punishment, he being confined in Prison for Nine Months together most unjustly; however the Presumption against the *Sperelli*'s grew the greater by their making their Escape to *Naples*.

How traduc'd.

Imprison'd.

But the Truth of the Matter was, according to the universal Opinion in *Rome*, that the Murder was not committed by the *Sperelli*'s, but proceeded from a higher Cause, it being supposed to have been perpetrated by the Order of *Don Augustin Chigi*, who was at that time the reigning Nephew of the Pope; the Occasion was thought to be this: There was a Pasquill seen in the Streets of *Rome* representing a Lady standing naked in a Bath or River, and the Water coming up to her Privities,

*March.* with this Motto, \* *Sin qui arrivo Fiume*, thus far came up *Fiume*: And because this Pasquil so very clearly described the Love Intrigues, and other Acts of Familiarity that passed between the Princess *Chigi*, Don *Augustin's* Wife, and the Count *Fiume* his Gentleman, it has always been believed that the House of *Chigi* were the Authors of that Murdet.

*Made a Cardinal.*

But tho' *Sperelli* missed of the Cardinal's Cap at this Promotion, yet Time having restored the innocent Man to his former Credit and Integrity with the Pope, he was at length pleased in his last, called the scrupulous Promotion, on the 14th of *November 1699*, to confer the Dignity of the Purple upon him; so that, to the Confusion of his Enemies, who occasioned the Delay of his Advancement, he might have engraven on his Mitre in Capitals these Words of the *Antbem*, *Ecce Sacerdos magnus, qui in diebus suis placuit & inventus est justus.*

*Death and Character.*

The Cardinal still preserved the same Honour and Integrity as before to the time of his Death, which happened on the 22d of this Month, leaving this Character behind him, that he was pious, devout, serviceable and just; genteel, sober, and wise; studious, friendly and zealous; averse to all the Court Ceremonies, void of Passion, and altogether free from Scruples; that he was learned in the Law, well versed in Sacred History, yet better instructed in the Canons and Councils, and likewise well read in the Fathers; that he was of a free easy Carriage, and quick in his Repartees, jealous to a high degree of the Rights of the Holy See, of which he was very well informed; and that likewise he had a tolerable good Knowledge of the Interests of Princes; but that his most engaging Quality was his genteel presence, and that noble Carriage of his, with which he captivated the Affection of every Body that discoursed with him. By his Death there became a 12th Vacancy in the Sacred College.

*Mr. Cowper's Death.*

About the beginning of this Month died Mr. *William Cowper*, an eminent Surgeon, and the greatest Anatomist of the Age, as appears by his Book of Anatomy, and the concurrent Testimony of those that knew him, and were most capable of judging.

*Sir John Cook's Death.*

On the 31st died Sir *John Cook*, Knight, Doctor of Laws: This Gentleman having for some Time study'd the

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\* *Fiume*, the Count's Name, signifies a River in Italian.



the Civil Law in the University of Oxford, did in the Year 1688 or 89 betake himself to a Military Life, and engaging in the Party of King William bore a Lieutenant of Foot's Commission in Ireland, at the time of the Battel of the Boyne, in 1690, and behaved himself like a Man of Honour; some Time after which returning to his former Studies of the Civil Law, and taking his Degrees of Doctor in that Faculty, he became, after the usual Time of Silence, which is a Year, Exercent at *Dollor's-Commons in London*; and growing more particularly in favour with Dr. Thomas Tennison, Lord Archbishop of Canterbury, he was pleased, upon the Decease of Doctor George Oxenden in February 1702-3, to make him Dean and Official Principal of the Arches Court of Canterbury, Vicar-General and principal Official to his Grace, and Dean and Commissary of the Peculiars belonging to him; he was also Official of the Archdeaconry of London. He was likewise made Advocate-General by K Will. III. His Competitor for that honourable Employment being Dr. Thomas Lane, who had been a Captain of Horse on King James's side, where he was wounded at the Battel of the Boyne, the Circumstances of which, as well as that of Sir John Cook's Choice and Behaviour there, being known to his Majesty, he said he chose rather to confer the Place on him that fought for him than him who fought against him. He had the Place of Clerk of the Pipe given him in Queen Ann's Reign. Sir John was one of the Commissioners for propagating the Gospel and Protestant Religion in foreign Parts.

March.

A Soldier.

Dean of the Arches.

Advocate-General.

Clerk of the Pipe.

Sir John Cook took to Wife Mary the only Daughter of Matthew Bateman, Esq; of London, by Mary his fourth Wife, on the 19th of December 1695, by whom there is one Daughter only living, who lost her Mother on the 6th of October 1709, and whose Character you may see in my History for that Year, p. 438. The Remains of Sir John Cook was buried without Splendor on the second Day of April in St. Mary White-chappel, near his Lady. He was succeeded as Dean of the Arches by Dr. John Bettesworth, and as Clerk of the Pipe by William Farrer, Esq; Member of Parliament for the Town of Bedford.

Burial.

On the 28th instant Charles Fanshawe, Lord Viscount Fanshawe, of Dromore in the Kingdom of Ireland, departed this Life. He held the Place of Queen's Remembrancer by a Patent granted to the Family from King Charles II. and is succeeded therein, as well as in his Honours, by his junior Brother Simon, now Lord Fanshawe.

Death.

*April.*  
*M. Liencroon's*  
*Death.*

*His Mar-*  
*riage.*  
*His Allow-*  
*ance and*  
*Estate.*

On the 8th died *M. Christopher Liencroon*, at his House in *Leicester Fields*, after having for many Years resided in *England* as publick Minister for his *Swedish Majesty*: This Gentleman was in *England*, if I am not mistaken, for some Time without any publick Character, and went over with *King William III.* into *Ireland* in 1690 as a Volunteer. He marry'd the Daughter of ——— *Vaucl* of *Cony* in the County of *Berks*, Esq; by whom he has Four Children living. His Allowance from *Sweden*, as Envoy Extraordinary, was 1000*l.* per Annum, and pretty well paid. His own Estate was considerable in that Kingdom, but since the War in the North, which commenced in 1700, he made very little of it, most of the Income being applied for the Maintenance of so many Soldiers, according to the Custom of that Country.

*Fellow of*  
*the Royal*  
*Society.*

He was a very good Scholar, ingenious and sober, till some Years of the latter part of his Life, when he abandon'd himself to immoderate Drinking, which probably accelerated his Death, as well as wasted his Substance, the Circumstances of his Fortune at the time of his Decease being low and very indifferent, his Library, which was sold, being a considerable part of it. *M. Liencroon* was a Member of the *Royal Society*.

*Lord Lum-*  
*ley's death.*

About the End of this Month *Richard Lord Lumley*, Eldest Son and Heir apparent to *Richard Earl of Scarborough*, died of the Small-Pox.

*Mr.*  
*Thynne's*  
*Death.*

Much about that time the same fatal Distemper cut off the Thread of *Mr. Thynne's* Life, Nephew and Heir to the Lord Viscount *Weymouth*, leaving his Consort, the Lady *Mary Thynne*, a Daughter of *Edward Earl of Fersy*, big with Child, but since, viz. on the 23d Day of *May* happily brought to Bed of a Son, to the great Joy of that Family, being all that time kept ignorant of her Husband's Death.

*Lord Mor-*  
*daunt's*  
*Death.*

On the 6th the Lord *Mordaunt*, Eldest Son to *Charles Earl of Peterborough and Monmouth*, dy'd at *Winchester* of the Small-Pox, and by his Lady, the Daughter of the present Duke of *Bolton*, left Two Sons behind him; his Lordship fighting valiantly for the Service of his Country at the great Battel of *Hochster* in 1705, received such a Wound in his Arm that he never recovered the right use of it; he was Colonel of the Regiment of *Scotch Fusileers*, and a Brigadier-General at the time of his Death.

On the 8th of this Month that famous Actor Mr. Betterton departed this Life; he was, as I have been informed, bred a Bookseller, and coming to serve the Play-house with Books took to the Stage, and became the most noted Player of his Time.

April.

Death.

The most ingenious Author of the *Tatler* says, that such an Actor as Mr. Betterton ought to be recorded with the same Respect as *Roscus* among the Romans. The greatest Orator has thought fit to quote his Judgment, and celebrate his Life. *Roscus* was the Example to all that would form themselves into proper and winning Behaviour. His Action was so well adapted to the Sentiments he expressed, that the Youth of Rome thought they wanted only to be virtuous to be as graceful in their Appearance as *Roscus*. The Imagination took a lovely Impression of what was great and good, and they who never thought of setting up for the Art of Imitation, became themselves imitable Characters.

Tatler's Character of him.

He goes on and says, he had hardly a Notion that any Performer of Antiquity could surpass the Action of Mr. Betterton in any of the Occasions in which he had appeared on our Stage. The wonderful Agony which he appeared in when he examined the Circumstance of the Handkerchief in *Othello*; the Mixture of Love that intruded upon his Mind upon the innocent Answers *Desdemona* made, betray'd in his Gesture such a Variety and Vicissitude of Passions, as would admonish a Man to be afraid of his own Heart, and perfectly convince him, that it was to stab it, to admit that worst of Daggers, Jealousy. That whoever read in his Closet that admirable Scene, would find, that he could not, except he had as warm an Imagination as *Shakespeare* himself, find any but dry, incoherent, and broken Sentences; but a Reader that had seen Betterton act it, observed there could not be a Word added; that longer Speech had been unnatural, nay impossible, in *Othello's* Circumstances. That charming Passage in the same Tragedy, where he told the Manner of winning the Affection of his Mistress, was urged with so moving and graceful an Energy, that while he walked in the Cloysters near *Westminster Abbey*, where he was interred, he thought of him with the same Concern as if he waited for the Remains of a Person who had in real Life done all that he had seen him represent. That the Gloom of the Place, and faint Lights before the Solemnity appeared, contributed to the melancholy Disposition he was in; and he began to be extremely afflicted, that *Brutus* and *Cassius* had any Difference, that *Hosper's* Gallantry was so unfortunate, and



April.

that the Mirth and good Humour of *Falstaff* could not exempt him from the Grave.

He pursues his Discourse, and adds, that the mention he had made of Mr. *Betterton*, for whom he had, as long as he had known any thing, a very great Esteem and Gratitude for the Pleasure he gave him, could do him no good, but it might possibly be of Service to the unhappy Woman he had left behind him, to have it known; That this great Tragedian was never in a Scene half so moving as the Circumstances of his Affairs created at his Departure. His Wife, after the Cohabitation of Forty Years in the strictest Amity, had long pined away with a Sense of his Decay as well in his Person as his little Fortune, and in Proportion to that, she had herself decay'd both in her Health and her Reason. That her Husband's Death, added to her Age and Infirmities, would certainly have determin'd her Life, but that the Greatness of her Distress had been her Relief, by a present Depravation of her Senses. That this Absence of Reason was her best Defence against Age, Sorrow, Poverty, and Sickness. He dwelt upon this Account so distinctly, in Obedience to a certain great Spirit, who hid her Name, and had by Letter applied to him to recommend to her some Object of Compassion, from whom she may be concealed. That he thought this a proper Occasion for exerting such heroick Generosity; and as there is an ingenuous Shame in those who have known better Fortune to be reduced to receive Obligations, as well as a becoming Pain in the truly Generous to receive Thanks in this Case, both those Delicacies were preserved; for the Person obliged was as incapable of knowing her Benefactress, as her Benefactress was unwilling to be known by her.

Doctor  
Collins's;  
Death.

Towards the End of this Month Doctor *Samuel Collins* had a Period put to his Life at the very uncommon Age of 92. This Gentleman having Travelled, after he had studied for some Time at *Oxford*, took the Degree of Doctor of Physick at *Padua* in *Italy*, and after his Return became Fellow of the College of Physicians in *London*, served the Office of Censor several times, and was an Elect some Years before he died. His last Wife was the Countess of *Dalhousy*, who survives him. He published Two Volumes of Anatomy in Folio, the Graving being performed by *William Faithorn*, the best Artist in that Time.

Much

Much about the same time Sir *Henry Sheers* departed this Life. This Gentleman was reputed to be a good Mathematician and Engenier; he having been employ'd by King *Charles II.* in the Fortifying *Tangier*; and on *Sheers's* whom, that Prince for his good Services, conferred the Honour of Knighthood. He Translated *Polybius*.

On the 21st the Marquess *de Montandre*, of the Duke *Mrrq. of Rochefoucault's* Family, Chief of one of the Branches *Montandre's* thereof, and a Major-General in the Queen's Service, marry'd *Madam Spanheim*, the only Daughter of *Baron riage. Spanheim*, Ambassador Extraordinary of the King of *Prussia*, at the *British* Court.

The 8th of this Month was the last Day of the Life of *George Churchil* Esq;. This Gentleman was the only Son (that survived) of Sir *Winston Churchil* Knight, some time Clerk of the Board of Green-Cloath, in the respective Reigns of King *Charles II.* and King *James II.* and next Brother to his Grace *John*, Duke of *Marlborough*. He was bred to the Sea-service, became Captain of a Man of War, and served not only in the Reigns of the said two Kings, but also in that of *William III.* and in the great Naval Engagement of *La Hogue* in 1692, Commanded the *St. Andrew*, then a Second Rate, with Honour and Success; after which, upon a Disgust, as it was said, that *Mr. A* ——— was advanced to a Flag over his Head, he quitted the Service, and lived for some time retiredly; but upon the Earl of *Orford's* resigning his Place of first Lord Commissioner of the Admiralty, about *April*, 1699. there were new Commissioners appointed some time after, of which Colonel *George Churchil* was one, who continued in that Post till the Spring of the Year, 1702. when King *William* a little before his Death, appointed the Earl of *Pembroke* to be Lord High Admiral; but upon the Accession of Her present Majesty to the Throne, the Prince of *Denmark* being constituted Lord High Admiral, *Mr. Churchil* was not only appointed to be of his Council, but also made Admiral of the Blew; upon which *Mr. Aylmer* was laid aside, or rather quitted the Service: He became afterwards Admiral of the White Squadron, and for a little while Commander of the Fleet in Chief, during the Indisposition of Sir *George Rooke*.

*Mr. Churchil* in the Envy'd Place of being Council to the Prince of *Denmark*, as Lord High Admiral, was together with his Fellow-Commissioners, frequently complained of by the Merchants, and the Matter more than once

## 26 The Remarkables of the YEAR, 1710.

*Janne.* once had up in Parliament; but the Prince dying *8th* the 28th, 1708. his Council's Commission terminated with him; so that Mr. Churchill from thenceforward being engaged in no Publick Business, lived retiredly, and labouring frequently under terrible Fits of the Gout, it determined his Life as aforesaid. Mr. Churchill, as well as his Brother Charles, having been for several Years *His Salary* Groom of the Bed-chamber to the Prince of Denmark, *contin'd* with a Salary of 400*l.* per Annum, Her Majesty upon the *as Groom* Decease of his Highness, was pleas'd to continue the *of the Bed-* Appointments the Prince had made to him and divers *chamber to* others.

*the Prince.* Mr. Churchill was wont to serve in Parliament as a Member for St. Albans, and last for Portsmouth, wherein he was succeeded by Sir Charles Wager. I know not whether to attribute it to his Temper and ill Conduct, or to his unhappy Stars, but so it was, that he was very ill Belov'd in his Life-time, and dy'd as little Lamented as any Man of his Quality in the Kingdom; he never was Married, but had a Natural Son, some time since, and I presume now, a Voluntier in the Navy, for whom I am inform'd he had made good Provision, he dying pretty Rich.

*His Avia-ry.* Mr. Churchill was the most Curious Gentleman I ever heard of in his collecting of all sorts of rare Birds; his Aviary at his House in Windsor Park, being the largest, compleatest, and containing the most variety of those charming Volatiles, that all the parts of the World could afford, which he at his Death, left to be divided between his Grace the Duke of Ormond, and Arthur Earl of Torrington,

*Sir Walter Long's Death.* On the 21st died Sir Walter Long Baronet, after he had lived to the Age of almost Ninety Years.

*Mr. Littlebury's Death.* About the beginning of this Month died Mr. Isaac Littlebury, at his House in or near Sutton in Surrey, after a very tedious and lingering Consumption, which had emaciated his Body into a Skeleton. This Gentleman's Father was a Bookseller in Little-Britain, who having given him liberal Education, he encreased the same by Travelling, and becoming Master of several Modern Languages; About a Year before before his Death, came out his Translation of Herodotus in two Volumes 8vo. The bulk of his Fortune he left to his Brother and his Children.



The Small-pox on the 5th of this Month proved fatal *May.*  
to Mr. *Ferney*, eldest Son of the Honourable and Reverend Dr. *Ferney*, and Grandson to the Lord *Willoughby* of Mr. *Verbrook*, (who lately Marry'd the Lord *Leigh's* Daughter) in ney's  
*Leicestershire.* *Death.*

On the 11th day of *May*, Dr. *John Haristrange*, Lord Bishop of Bishop of *Offory* in the Kingdom of *Ireland*, Marry'd Mrs. *Offory Isabella Danvers*, one of the Bed-Chamber-Women to Marry'd. Her Majesty, in the Chappel Royal of St. *James's*, the Arch-Bishop of *Dublin*, his Metropolitan, performing the Ceremony: The Bishop has a considerable Estate fallen to him both in *England* and *Ireland*, by the Death of his Brother *Gwynne Haristrange*, Esq;

Towards the end of this Month died the Lady *Ossul-Lady Ossulston*, *Charles Bennet*, Lord *Ossulston's* Lady: She was the son's only Daughter and Heiress of *Ford* Lord *Grey*, Earl of *Death*. *Tankerville*, first Commissioner of the Treasury, sometime Lord Privy-Seal, and one of the Lords Justices of *England*, in the Reign of King *William III.* by the Lady — his Wife, one of the Daughters of the late Earl of *Berkeley*. The *Ford* Estate which came to the Earl of *Tankerville* by his Mother, who was a *Ford*, and after the Decease of *Ralph* Lord *Grey*, the Earl's youngest Brother, to the Lady *Ossulston*, was lately Controverted in Law, by one Mr. *Ford*, a Collateral Branch of the Family of the *Fords*, in which Suit the latter was Cast. He sued in *Forma Pauperis*.

Some time this Month Died Cardinal *Marcello Durazzo* Cardinal (for so I take his Name to be :) He was a Gentleman of *Durazzo's* *Genoa*, born on the 3d of *March*, 1630. and his eldest Life. Brother had been Doge of that Republick. He went Birth. through several considerable Employments in his time. He was Vice-Legat at *Avignon*, where, notwithstanding Vice-Legat the Difference between the French King and the Holy of *Avignon* See, he carry'd himself so well, that he preserved the Esteem of both Parties. He was Twelve Years Nuncio in *Portugal*; during which time he was offered a present Nuncio in *Portugal*, of Sixty Thousand Crowns, about an Affair which concerned the *Jews*, who were newly Converted, but he refused it tho' he effected the Business which was demanded of him, and tho' at that time he wanted Money. The King of *Portugal* being informed of it, offer'd him the Bishoprick of *Vera* for his more convenient Subsistence, that being one of the richest in the Kingdom; but he desir'd

*May.* desir'd the King to excuse his acceptance of it; but accepted of a Present of a Diamond of him of great Value.  
*Nuncio in Spain.* *Innocent XI.* some time after sent him Nuncio to Madrid, and upon the good Reputation which he acquir'd every where, and of which that Pontiff was informed, he made him a Cardinal, and gave him the Bishoprick of *Carpentras*. However he still continued Nuncio at the Court of *Spain*, and had not his Cap till *Alexander VIII.* came to be Pope; who at the same time conferr'd upon him the Bishoprick of *Ferrara*, upon condition he should pay a Pension of Nine Thousand Crowns, which the Cardinal refus'd, and would not then take Possession of that Church.

*Made Bish. of Spoleto.* *Innocent XII.* suppress'd the Employment of Apostolick Secretaries, and allowed them stipends for their Maintenance; He also conferr'd upon him the Bishoprick of *Spoleto*, but he was forced to quit it when he was Legate in *Poland*; for that Pope made scruple of letting Persons enjoy Bishopricks that could not reside at them: Nevertheless, because the Cardinal had not above 500 Crowns a Year, the Pope at length gave him the Bishoprick of *Ferrara*, but whether he held it to his Death I know not; but I find he was then Bishop of *Faenza*, and was succeeded therein by Signior *Pazza*, then transacting some Affairs for the Pope at the Court of *Vienna*, who sent him a Brief thither for the same.

of Ferrara

of Faenza

This Cardinal stood very well in favour with Foreign Princes, which together with those other good Qualities wherewith he was endow'd, might have render'd him worthy of the Pontificate, but that his Original Sin was his Country; *E peccato che sia Genovese*: It was his Crime that he was a *Genovese*. Republicans are not beloved at *Rome*, but more especially those of *Genoa*, for they are looked upon as Usurers and Self-interested People.

His Character.

At the last Election of Pope, which was at the latter end of the Year, 1700. and a time of Censure, this Cardinal was accused of being too Frugal, and to take too strict an account of his Expences: Others said he was too Liberal, and that he spent for the good of the Church and his Diocesans; and that it was certain, that the Churches of *Bologna* and *Faenza* had been much the better for his Liberality. Some charged him with being naturally Conceited and Reserved, and a deep Dissembler; and that if he had once found St. Peter's Key, which he searched after at this Election, he would be quite another Man than what he then was; that from Good and Innocent, which he would make the World believe he was, he would become no less Forward, bold and Daring.

But

But these were the Inventions of his Competitors to blacken him. It was indeed true, that in the Conclave of *Innocent XII.* he kept himself close, and observ'd the Motions of others, without adhering to any Party, or entering into any Engagement, that he might avoid all manner of Jealousies, Mistrusts, and Enmities; wherein he most certainly carry'd himself like a Wise Man.

This Cardinal Squinted with his Eyes, was Lame, and Crump-shoulder'd, yet he had an indifferent good Mien; that he was look'd upon as well skill'd in all sorts of Sciences; that he had a great deal of Wit, was very Studious, Sincere, a worthy Man, and endued with good Manners: Moreover he had the Character of being Protector of the Poor, a Pattern to all Noble and Vertuous Persons, and passionately concerned to procure Satisfaction to every Body. And finally, to conclude his Encomium, which was used by one of the Wits of Rome, *Its pity he was a Genuese*; and it seems as if *Tacitus* had spoke of him, when he said of *Corbulo*, *Et super Experimentiam sapientiamque specie Inanium validus.*

*John Dolben Esq;* died the 29th Instant of a Fever, at *Mr. Dolben's*  
*Espsom*: This Gentleman was the youngest Son of Dr *Dolben's*  
*Dolben*, some time Lord Arch-bishop of York, and the Brother of Sir *Gilbert Dolben*: He studied the Law in his  
*Death.*  
younger Years, and having great Parts, he came to the Bar with great Applause, and with all the promising hopes of becoming very Eminent in his Profession; but some Misfortunes hapning, he went to the *East-Indies* (as I take it) in the Nature of Judge Advocate for the Company, where he got a very competent Estate. He was one of the Managers at the Tryal of Dr. *Henry Sacheverell*, where you have his Speeches, to which the Reader is refer'd. He was Member of Parliament for *Leskard* in *Cornwall*.

*James Boubon Bucheron* died at *St. Giles* near *Mante*, *Old Bucheron's*  
in the *Isle of France*, on the first of *May*, at the Age of *ron's*  
103 Years, having retained his Understanding and Eye-  
sight to the last, and even wrought at his Trade till a-  
bout three Months before his *Death.*  
*Death.*  
some time before, one *Michael Fourasier*, 110 Years Old; who very well remembred that he had seen *Henry* the Great: And about the same time, a Woman 104. Likewise one *Michael Fortin* in *Normandy*, Aged 116 Years and 4 Months; he could See and Hear to the last perfectly well.



*June.* On the 1st of *June* Sir *David Mitchell* Kt. paid his last Debt to Nature. I have been informed he was a Native of *North Britain*, and being put Apprentice to a Master of a Ship at *Lieby* near *Edinburgh*, he was in the time of the *Dutch War*, in the Reign of King *Charles II.* pressed into His Majesty's Service; where behaving himself well, and being fitted by his natural Endowments to much greater Things than a Common Sailor, he began to rise in that Reign; but upon the Revolution in 1688, he, by the Friendship principally of a Great Man, lately at the head of our Naval Affairs, became not only Captain of a Man of War, but in or about the beginning of the Year 1693, was made Rear Admiral, and had the Honour to convey His Majesty King *William III.* over into *Holland* in April that Year.

*Sir David Mitchell's Death.*

*Made Rear Admiral, 1693.*

In 1693-4. I find, that his Majesty having been pleased to appoint *George Rook* Esq; to be Vice-Admiral of the Red; *John Lord Berkeley*, Vice-Admiral of the Blue; Colonel *Matthew Aylmer*, Rear Admiral of the Red; that at the same time he constituted Captain *David Mitchell* to be Rear Admiral of the Blue. The Grand Fleet the Summer following being ordered for the *Streights*, under the Command of Mr. *Russell* (now Earl of *Orford*) Sir *David Mitchell*, as Rear Admiral of the Red, was in that Expedition; and when the Admiral was order'd Home in the Autumn of 1695, he appointed him in the Bay of *Cadiz*, to Command in Chief, and to employ all the Ships, or part of them, in such manner as he judged most for the Service, but to put himself under the Command of Sir *George Rook*, when he arrived, who was coming with a Squadron of Ships from *England*. After his return with Sir *George Rook* from the *Streights*, in 1696, he was advanced to the Post of Vice-Admiral: And when the *Czar* was in *England*, in 1698, Sir *David* had the Honour to Command a Squadron, and to attend and entertain that Curious Prince on Board.

*Vice-Admiral.*

*Groom of the Bed-chamber.* Sir *David Mitchell*, besides his Naval Commands in the Reign of King *William III.* had the Honourable Post of Groom of the Bed-Chamber to his Majesty; and upon the Decease of Sir *Fleetwood Shepperd*, was constituted Gentleman Usher of the *Black-Rod*.

*Council to the Prince of Denmark.* Upon the Accession of Her present Majesty to the Throne, the Prince of *Denmark* being made Lord High Admiral, he was one of the Council appointed to his Royal Highness, for the management of the Affairs of the Admiralty, in which Station he continued till about a

Year

# The Remarkables of the YEAR, 1710.

31

Year before the Death of the Prince, which hapned in the end of October, 1693.

June.

Sir David Mitchell is succeeded in his Place of Gentleman Usher of the Black-Rod, by William Oldes Esq; first Gentleman Usher, daily Waiter to Her Majesty, who at the same time was pleased to confer upon him the Honour of Knighthood, he being introduced by the Duke of Shrewsbury, Lord Chamberlain of the Household.

Successor.

On the 3d *Louise de la Baume la Blanc*, Dutchesse de la D's de la *Valiere*, departed this Life, at the Age of 67, in the *Valiere's* Grand Convent of *Carmelites*, at *Paris* where she wore Death, the Habit for 36 Years, by the name of Sister *Louise de la Misericordia*. This Lady was once the French King's Mistress, and by him was the Mother of the Princess Dowager of *Comi*, of the late Duke of *Vermandois*, and of the Count of *Tholouse*; tho' others will have this last to be the Son of *Madam de Montespan*.

About the latter end of this Month died Colonel *Edward Tynte*, in *South Carolina*, of which Country he was Governor, tho' he enjoy'd it but for a short time. He was a Gentleman of *Somersetshire*, took up early with a Military Life; had served the Republick of *Venice* in the *Morcia*, and in other Parts of the World; and in a Word, he was one of the most pleasant Companions and the best Humour'd Man alive.

Colonel Tynte's Death.

*Dr. Pearce*, who had for many Years practised Physick at the Bath, died this Month, having attained to the usual Age of 89 Years; Her Majesty, when at the Bath, took up her Lodgings at his House.

Dr. Pearce's Death.

On Sunday the 18th Instant, the Lady *Carolina Schonburg*, eldest Daughter of *Meinhardt Duke of Schonburg*, died of the Small-pox at the Age of about 25, and on the 22d was Interred in *Westminster-Abbey*. She was a Lady of exemplary Virtue and Piety.

Death.

On the 29th the *Marquess de Renti*, Lieutenant-General of the French King's Armies, and also Lieutenant-General of the *Franche Compe*, died in his Castle of *Bende* in the lower *Normandy*. Next Day, *Monsieur de Lamar*, Bishop of *Aire*, died in his Diocess.

*Monsieur John Baptist Michael Cobert*, Arch-bishop of *Tolouse*, on the 14th Instant departed this Life at *Paris*.

John

June

Dr.  
Meare's  
Death.

*John Meare*, Doctor in Divinity, and Principal of *Breton-Nose* College in *Oxford*, died sometime this Month; and not long after, *Mr. Shippen* was chosen Principal in his Room.

*Dr. Meare* (being then Master of Arts) was elected Principal of his College on the Death of *Dr. Thomas Yates*, 1681. He accumulated his Degrees in Divinity in 1684.

Dr. Bram-  
ston's  
Death.

On the 3d of this Month about Seven in the Morning, *George Bramston*, Doctor of Laws, departed this Life at his House near Doctor's Commons, of a Mortification in his Groin. He was a younger Son of Sir *\_\_\_\_\_ Bramston*, Kt. and having his Accademical Education in the University of *Cambridge*, where his principal Study was the Civil Law; he became in time Exercent in Doctor's Commons; and growing Eminent in his Profession, he acted as Surrogate to *Sir Charles Hedges*, Judge of the Court of Admiralty, when he was principal Secretary of State. He was likewise Surrogate to *Sir Richard Raines*, Judge of the Prerogative Court of *Canterbury*; and Official to the Arch-deacons of *Middlesex* and *Surrey*. He was made Master of *Trinity Hall* in *Cambridge*, and by Her Majesty's Favour, in *February*, 1720, he succeeded *Dr. George Oxendon* in that Honourable Post; and succeeding *Dr. Ashton*, Vice-Chancellor of that University, on the 4th of *November*, 1703, it's remarkable, that lying in *St. Peter's College* on the 26th of the said Month, being the Night of the most dreadful Storm that ever happen'd in the Memory of Man, it blew down a Stack of Chimneys that fell into his Bed-Chamber, which was so far from hurting him, that he was not awaked by it. The Doctor had been a Widower for some time before he died; and left only one Daughter.

*Sir Richard Raines*, since *Dr. Bramston's* Death, appointed *Dr. Charles Harriot* to be his Surrogate in the Prerogative Court.

Lord Ash- On the 16th *William Lord Ashburnham*, died of the  
burnham's Small-Pox, having enjoy'd the Honour of Peerage but  
Death. since the 21st of *January* last, when his Father *John Lord Ashburnham* departed this Life. The Son's Lady's Maiden Name was *Taylor*; by whom having no Children, the Honour and Estate devolved on his Brother *John*, Guidon in the First Troop of Guards; who is now *Lord Ashburnham*.

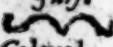


On the 5th, the French King having commanded the *July*  
 Sieur *Dumoulin*, Master of the Ceremonies, to invite all  
 the Princes and Princesses of the Royal Family, to the *Duke* of  
 Marriage of *Charles Duke of Berry*, with *Mademoiselle Berry*  
 the Duke of *Orleans*'s Daughter; the Contract on the 5th Marry'd  
 was Sign'd in the King's Cabinet; after which the Be-  
 trothing was perform'd there by the Cardinal *de Fenson*,  
 great Almoner of *France*; next day the Marriage was  
 celebrated in the Chappel of the Castle by the same  
 Cardinal, in the Presence of the King, and of all the  
 Princes and Princesses. There was a great Entertain-  
 ment in the Evening in the Hall of the King's Apartment,  
 where there was 28 at Table, all Princes and Princesses  
 of the Royal Family: The Prince *de Dombes*, and the  
 Count *de Eu*, to whom the King granted the same Ho-  
 nours as to the Duke of *Main* their Father, were also  
 there in their Places.

The Marriage being thus concluded, the King, by his *His Appen*  
 Letters Patent, assign'd him and his Lawful Male Heirs,  
 for his Appeneage, the Duchies of *Alençon* and *Angoulême*,  
 the County of *Perthuis*, and the Castellanies of *Coignac*  
 and *Mérignac*, reunit'd to the Crown of *France*, by the  
 death of the King's Cousin *Elizabeth*, of *Orléans*, Dutches  
 of *Guise*, together with the Lands and Lordships of *Noy-  
 elles*, *Hirmon*, *Courteville*, and *Mesnil*, acquir'd to the  
 Crown by virtue of a Contract made between Commis-  
 sioners, nominated by the French King and *Marie d' Or-  
 léans*, Dutches of *Nemours*, on the 16th of *December*, in  
 such Condition as the said Duchy, County, Castella-  
 nies, &c. were then in.

*Sir Edward Hannes*, Knight, sometime first Physician *Sir Edw.*  
 to Her Majesty, departed this Life on the 21st, and by Hannes  
 his Will, left 1000 l. to *Christ Church College* in *Oxford*.

*Dr. Hans* had practis'd some Years with good Success  
 at *Oxford*, before he remov'd to *London*; hereceiv'd the  
 Honour of Knighthood, towards the beginning of Her  
 Majesty's Reign, and continu'd her Physician till a-  
 Year before he dy'd, he being indeed for sometime be-  
 fore rendred incapable of Officiating, because of some  
 Disorders in his Head. He had been 'twice Marry'd,  
 made none of the kindest Husband, and, I think, left  
 only one Daughter behind him. He has given us a Tass  
 of his Ability in Lyrick Poetry.

*July.*  
  
*Colonel*  
*Codrington's*  
*Death.*

About the same time came Advice from the Leeward Islands in America, of the death of Colonel *Christophe Codrington*, sometime Captain General of those Islands. He left the bulk of his Estate to his Cousin Germain, Colonel *William Codrington* of Barbadoes, which is reckoned to amount to 40000 *l.* and upwards. He has most generously bequeathed 20000 *l.* to the Society for propagating the Faith in that part of the World: And having for many Years been fellow of *All-Souls Oxford*, has given that College 10000 *l.* as also his noble Library, valued at 6000 *l.* more. He has ordered his Body to be buried there, and allowed only 20 *l.* for a Grave-Stone upon it; but left 1500 *l.* for erecting a Monument for his Father in *Westminster-Abbey*.

*Mareschal*  
*de Joyeuse's*  
*Death.*

On the first of this Month, Monsieur *John Armand de Joyeuse*, Marshal of France, Knight of the King's Orders, Governor, and Lieutenant-General of the Cities, Territories, and Bishopricks of *Metz* and *Verdun*, and Governor more particularly of the Town and Citadel of *Metz*, died in the City of *Paris*, being above 80 Years of Age. Monsieur *de Joyeuse* was made a Marshal of France, in 1693. The King has conferr'd the Government of *Metz* and *Verdun*, upon the Marshal *de Villars*; so far is he from being dissatisfy'd with that General's Conduct.

*Lady Pitt's*  
*Death.*

Colonel *Pir's* Lady died about the end of this Month. She was the Sister of the Right Honourable the Earl of *Suffolk* and *Bindon*, and his Lordship went to *Audley-End* to assist at the Solemnity of her Funeral there among her Ancestors.

*Dr. Birch's*  
*Death.*

On the 2d in the Morning, *Peter Birch*, Doctor in Divinity, departed this Life at his House in *Westminster*. He succeeded *Dr. Dove*, Minister of *St. Brides Fleet-street*, was Arch-deacon of *Westminster*, and one of the Prebendaries of that Collegiate Church.

*Monf. de*  
*Vise's*  
*Death.*

Monsieur *de Vise*, Author of the *Mercury Gallant*, died this Month, at the Age of 74. It was thought the *Mercury* would die with him, and that the King would scarce allow any Body else to continue it; but 'tis since Reviv'd.

*Dutchess*  
*of Lorrain*  
*brought to*  
*Bed.*

The Dutchess of *Lorrain* was brought to Bed of a Princess on the Fourth.

The

The Lady Duplin was brought to Bed on the 4th of a *July*. Son, to the great Joy of that Noble Family; She is the Daughter of *Robert Harley Esq;* sometime Secretary of *The Lady State*, and Speaker of the House of Commons; now one Duplin of the Lords of the Treasury and Chancellor of the Ex- brought to chequer, and was marry'd to *Thomas Hay*, Lord Viscount *Bed. Duplin*, on the 11th of *August*, 1709. His Father is now Earl of *Kinnoul* in *North Britain*.

On Monday the 31st of *July*, her Grace, *Mary*, Dutches *Dutches* Dowager of *Devonshire*, departed this Life, at her House of *Devon* in the *Hay-Market*. By her Death, her Joynture of 2000 l. *shire's* per Annum, devolves upon the present Duke of *Devon* *shire* her eldest Son. The other Children that survive her are, the Lord *James Cavendish*, and the Lady *Elizabeth Wentworth*. The Dutches was the Daughter of *James Duke of Ormond*, Grannfather to the present Duke of that Name, and a Lady of great Vertue and unspotted Reputation. She became a Widow by the Death of the Duke her Husband, on the 18th of *August*, 1707.

The Corps of the Dutches Dowager of *Devonshire*, was privately Interr'd in *Westminster Abbey*, on Sunday Night the 6th Instant, between the Hours of 10 and 11; the Pall being held up by the Dukes of *Ormond* and *Grafton*, the Earls of *Anglesea*, *Arran*, *Portland* and *Grantham*. The Duke her Husband was buried at *Derby*.

The Prince d' *Avergne* Nephew to the Cardinal de *Bruil-Prince de lon*, a Lieutenant-General in the Service of the States of *Hol-Avergne's land*, died the 27th at *Doway*, of the Small-pox, in the *Death*, 34th Year of his Age, being very much regretted by the Princes and other Generals. He was a Native of *France*, being only Son to *Frederick Maurice de la Tour*, Count de *Auvergne*, General of the *French Cavalry*, and in Right of his Mother was Lord of *Bergen-op-zoom*. He quitted the Service of *France* upon a Disgust, and served the States-General with a great deal of Zeal and Fidelity, to his Death.

On the 8th, Sir *Charles Cotterell*, Master of the Ceremonies, died of the Dropsie. I find this Place has been *Sir Charles* in the Family of the *Cotterells*, ever since the Year 1641. *Cotterell's* For then Sir *Charles Cotterel* of *Toylsford* in *Lincolnshire*, *Deaths* succeeded Sir *John Finet* in the Mastership of the Ceremonies, and continued in that Post till the beginning of *December*, 1686, when he Petitioned King *James II.* for leave to resign his Office; upon which, that Prince was pleased



July.



pleased, in consideration of his faithful Services to his Royal Father and Brother (to whom he adher'd in his Exile) and himself, to receive his Son, *Charles Lodowick Catterell* Esq; sometime Gentleman Commoner of *Merton* College, into the said Office, and to constitute his Grandson (by his Daughter) *John Dormer* Esq; Assistant Master of the Ceremonies in his Place. This *Charles Lodowick*, who received the Honour of Knighthood on the 18th of *February* following, I take to be the Father of Sir *Charles* now Deceased, who is succeeded by his Son, *Clement Catterell* Esq; since Knighted by her Majesty.

Mr. Cresset's  
Death.

On the 25th Instant in the Morning, *James Cresset* Esq; died suddenly at his House in *Germain-street*. He had been lately employed to go Envoy Extraordinary to the House of *Hanover*, and had taken his Leave of Her Majesty in order to begin his Journey: He had been formerly employed with the same Character to the Princes of the House of *Lunenburg*. He is much Lamented upon the account of his Generosity, and other rare Qualities.

A Modern Author, who saw Mr. *Cresset* when he Resided at the Court of *Zell*, says, "It must be owned much to his Praise, that the King had no Minister in any Foreign Court, that did his Master more Honour at his own Expence, than Mr. *Cresset*, he having a fine House, a very good Equipage, kept always a plentiful Table, and a Cup-board well furnished with excellent Wines. His Lady was a *French-woman*, and a-kin to the Dutches of *Zell*."

Mrs. Mobun's  
Death.

On *Saturday* the 22d Instant died Mrs. *Mobun*, Sister to the Lord *Mobun*, of a Fever; she had been one of the Maids of Honour to the late Queen *Mary* of Glorious Memory, and was to have been Marry'd a little before she died, to a Gentleman of Fortune.

Lady Ashburnham's  
Death.

On the 11th died the Lady Dowager *Ashburnham*, Widow of *William*, Lord *Ashburnham*, of the Small-Pox. having not survived his Lordship quite a Month. This Beautiful Lady's Maiden Name was *Taylor*; she left no Child behind her.

August.  
Prince of  
Prussia  
born.

On the 6th of *August*, the Princess Royal of *Prussia* was brought to Bed of a young Prince, who was Baptiz'd by the Name of *Frederick William*. He was brought in Ceremony from the Princess-Royal's Apartment, by the Margravine, supported by the King's two Brothers, *Albert* and *Christian*; He was held by His Majesty during the

August.

the Ceremony, which was performed by the Bishop. His Majesty representing the Emperor, as well as standing in his own Person, and Margrave Philip, representing the Elector of *Hanover* and the States-General, as Godfathers: The Queen represented the Empress and Dutchess-Dowager of *Zell*, as God-mothers. After which, the King and the rest of the Court, went to the Princess-Royal's Apartment, where his Majesty made her a Present of a Gold Box, with a Bill of a thousand Ducats, which she is to receive Annually on the Birth-day of the young Prince. In the Evening their Majesties Supped with the Royal Family, in the Great Hall; after which, they went in a Coach and eight Horses, follow'd by the rest of the Court, round the Town, to view the Illuminations prepared on that Occasion. Monsieur *Inhausen*, Chamberlain and Vice *Grand Veneur* to the Elector of *Hanover*, arrived about that time at *Berlin*, to Compliment the King and Princess-Royal upon the Birth of the Prince. He brought a Letter from the Electress to the King, the Elector himself declining to write to his Majesty, because of the Difficulties he makes of giving the King the Titles of *Mecklenburg*.

The Lady *Catherine Windham*, Sir *William Windham's* Lady *Catherine* Lady, and second Daughter of his Grace the Duke of *Somerset*, was happily brought to Bed of a Son, before the end of this Month. *Windham brought to bed.*

*John Maisland*, Earl of *Lauderdale*, departed this Life on Sunday the 13th Instant; and he was succeeded in his Place of General of the Mint in *North-Britain*, by the Lord of *Balmirino*. *Earl of Lauderdale's Death.*

On the 27th, Sir *William Godolphin* of *Godolphin* in the County of *Cornwal*, Bar. departed this Life. His Estate, valued at about 5000 *l. per Annum*, comes to the Family of the Lord *Godolphin's* Family, he being the second Brother of Sir *William*, who was a great lover of Books, and died Unmarried. *Sir William Godolphin's Death.*

Sometime this Month the Margravine *Albrecht*, younger Margra-Brother to the King of *Prussia*, had a Son born to him, by his Lady the Margravine *Albrecht*, Sister to the Duke of *Courland*, and the Child was baptized by the Name of *Frederick*, the King and the *Czar of Muscovy* being his Godfathers.

August.  
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 Mr. Wogan's
 Death.

On the 1st Instant in the Evening died *William Wogan* Esq; at his Lodgings in *Islington*. He was the Nephew of *Sir William Wogan*, Knight, sometime Judge of the Great Assizes for the Counties of *Carmarthen*, *Pembroke*, and *Cardigan*, in *South Wales*; who left him upon his decease, about a Year and an half ago, an Estate of 1200 *l.* per Annum, and some Thousands of Pounds in ready Money; We heard Mr. *Wogan* had left his old Friend and Companion, *Richard Noys* of the Inner Temple, Esq; Executor, and 1000 *l.* to his Son. The bulk of his Estate he has bequeathed to the second son of his Cousin German, *John Symmons* of *Martel*, in the County of *Pembroke* Esq; who is to take upon him the Name of *John Wogan Symmons*; and Mr. *Wilkinson* has an Annuity of 40 *l.*

On the 8th, *John Osburne* Esq; eldest Son and Heir of *Sir John Osburne* of *Chickland* in the County of *Bedford*, Baronet, married the Daughter of *Sir George Bing*, Kt. one of the Lords Commissioners for executing the Office of Lord High Admiral of *Great-Britain*, *Ireland*, &c.

Duke of
 Harcourt
 made a
 Peer of
 France.

The Duke of *Harcourt* was on the 9th Instant made a Peer of *France* in the Parliament of *Paris*, with the usual Cereémonies. He is a Prince of that numerous Branch of the House of *Lorraine*, which for several Ages has settled in *France*, a Marechal, and was Ambassador at the Court of *Madrid* at the time of the Death of *Charles II.* of *Spain*; in 1700; and without doubt, was deep in the Secret of the Will fixed on that Prince in favour of the Duke of *Anjou*, the Effects of which are still in Contest.

Earl of
 Coventry's
 Death

Towards the end of this Month died *Thomas Coventry*, Earl of *Coventry*. This Noble Lord's Great Grandfather, *Sir Thomas Coventry* Kt. Lord Keeper of the Great Seal of *England*, was created Baron *Coventry* of *Milsborough* in the County of *Worcester*, by Patent bearing Date the 10th of *April* 1628, in the Fourth Year of the Reign of King *Charles I.* And his Majesty King *William III.* was pleased, in Consideration of the Loyalty of the Lord's Father, now deceased, by Patent *April* 26th, 1697, to advance him to the Farther Honours of Viscount *Deerhurst*, and Earl of *Coventry*; and dying the 16th of *July*, 1699, he was succeeded by his eldest Son the Earl now Deceased; He marry'd the Lady *Anne*, the youngest Daughter of *Henry Somerset*, late Duke of *Beauford*, the Grandfather of the present Duke of that Name, by whom he hath had Issue two Son, viz. *Thomas Coventry*, Viscount *Deerhurst*,
 born
 1691

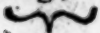
born April the 7th 1702, who is now Earl of *Coventry*; and *John Coventry*, second Son, born April the 2d. 1705. but deceased April the 6th 1706. His Lordship had not the satisfaction to survive the Countess his Mother-in-law, who kept from him a Joynture of 1500 l. per Annum.

The Lady *Anna*, Countess of *Coventry*, had a Warrant of Precedency dated November the 30th, 1699, granted her by King *William III.* to take Place as Daughter of the Duke of *Beauford*, notwithstanding her Marriage.

On Tuesday the 26th Instant, her Grace the Dutchesse *September* of *Buckingham* was brought to Bed of a Son and Heir, to the great Joy of that Family; the Duke of *Shrewsbury*, Dutchesse and the Right Honourable *Robert Harley*, Esq; one of the Lords Commissioners of the Treasury, and *Channingham* collor of the Exchequer, stood Godfathers; and the Queen by her Proxy the Countess of *Burlington*, Godmother; the Countess of *Dorchester* was the other. He was baptiz'd by the Name of *John*, and bore the Title of Marquess of *Normanby*, but is since Dead.

The Noble Family of the *Berkeley's*, alias *Fitz-Harding*, Earl of derive their Origin from *Robert Fitz-harding*, (descended Berkeley from the Royal Line of the Kings of *Denmark*) who obtain'd a Grant of the Castle and Honour of *Berkeley* in *Gloucester-shire*, from *Henry* Duke of *Normandy*, Son of the Empress *Maud* the Empress, (afterwards King by the Name of *Henry II.*) whence they assum'd their Sir-name; it being the Possession of *Robert de Berkeley*, their Paternal Ancestor, Lord of *Dursley*, whose Daughter *Alice*, by Accord made at *Bristol*, in the Presence of King *Stephen*, and the same Duke *Henry*, was given in Marriage to *Maurice* the Son of this *Robert Fitz-Harding*, whose Posterity by reason of their possession of the said Castle (a feudal Honour) successively bore the Title of Lord *Berkeley*, who tho' they were but first Summon'd to Parliament among the Barons of this Realm, Anno 23 *Edw. I.* one of which, viz. *William* Lord *Berkeley*, was by King *Edward IV.* on April the 21st, in the 21st Year of his Reign, advanc'd to the Dignity of a Viscount, and created Earl of *Nottingham* on the 28th of *June*, in the first Year of *Richard III.* He was by *Henry VII.* in the first Year of his Reign, constituted Earl Marshal of *England*, with limitation of that Great Office to the Heirs Male of his Body, in as ample a manner as *John* Duke of *Norfolk* held it (his Mother being one of the Heirs General in a collateral Line to the same Duke) and lastly, made Marquess *Berkeley*

August.



in the 4th Year of the same King, but died without Issue on the 14th of February, 1491. having before, by an Indenture bearing date, Decemb. 10. 3d of Henry VII. settled the Castle of Berkeley, with those Lands and Lordships which were the Body of that ancient Barony, for defect of his own Issue, on Henry VII. and the Issue Male descending from him: So that Sir Maurice Berkeley, Knight of the Honourable Order of the Bath, Lord Berkeley his Nephew, being Summoned to Parliament, on the 14th of Henry VIII. had not the Place of his Ancestors, but was obliged to sit merely as a new Baron in the lowest Place; to whom succeeded Sir Thomas Berkeley Kt. his Brother and Heir, who was one of those Lords who on the 22d of Henry VIII. subscribed the Letter to Pope Clement VII. concerning the King's Divorce, being there placed next after the Lord Daerés, and immediately next before the Lord Morley: Which Thomas was Father of Thomas Lord Berkeley, whose Son Henry, Lord Berkeley, of Berkeley Castle (the old *Caput Baronie* of his Ancestors) upon the Death of Edward the VIth, the last Heir Male of Henry VII. had Summons to Parliament in the 4th and 5th of Philip and Mary, and was there placed Jan. 25th the same Year, according to the Antiquity of the said Barony; being succeeded by his Grandson and Heir, George, Lord Berkeley, the Father of another George Lord Berkeley, who was created Viscount Dursley, in the County of Gloucester, and Earl of Berkeley, by Letters Patent, bearing Date September the 1th, 1679. in the 31st Year of the Reign of King Charles II.

This Earl George, in the Reign of King William III. was *Custos Rotulorum* for the County of Surrey, one of the Governors of the Charter-House, and Fellow of the Royal Society; and dying (as I take it) about 1698. was Succeeded by his Son Charles, sometime one of the Lords Justices of Ireland, and Ambassador in Holland while Lord Dursley.

Earl of
Berkeley's
Death.

He on the 24th of this Month departed this Life at his Seat in Berkeley Castle, in the County of Gloucester, very much Lamented in that Country, and by all true English-men who had the Honour to know him. He is succeeded in Honour and Estate by his Son James Lord Dursley, Vice-Admiral of the Red Squadron of her Majesty's Fleet.

Titles.

As soon as ever the City of Gloucester heard of his Death, they call'd immediately a Council, and chose the present Earl their High-Steward in his Father's stead.

The Titles of the Earl are, Earl of Berkeley, Viscount Dursley, Baron Berkeley of Berkeley Castle, Mowbray, Seagrave and Breaus of Gower.

On

The Remarkables of the YEAR, 1710. 41

On the 2d Robert Needham, Lord Viscount Kilmurry, September. in the Kingdom of Ireland, departed this Life at his Lodgings in Bedford-street, Covent-Garden. Lord Kilmurry's

On the first Instant her Grace the Dutchess of Bedford was brought to Bed of a Son at Stretbam in Surry. Death.

On the 11th the honourable Francis Grevil, Son to Mr. Grethe Lord Brook, departed this Life; he was wont to be vile's chosen Member of Parliament for the Town of Warwick, Death. and was elected again for the same Place much about the time he died.

Vincent Grimani, Cardinal-Deacon, was born in the Cardinal City of Venice on the 26th of May 1652, and entred Grimani's himself very early among the Clergy, that he might Life. enjoy the Church Benefices belonging to his Family, Birth. which the deceas'd Cardinal Grimani had left for a Second Son. Now this Gentleman even from his Youth seeing no Possibility of advancing his Fortune in his own Country, because of the unfavourable Laws made by the Senate against the Clergy, he went to Mantua, where he Goes to had a Sister married to the Marquis de Gonzaga, he Mantua. himself being likewise born of a Mantuan Lady of the same noble Family. Here he began seriously to consider Projects how to better his Fortune, but having his Head full of how to better his Fortune. vast Idea's, and his Pockets empty of Money; to supply himself therewith, he cast his Eye on the rich Abbey of Lucedio in Monferrat, then in the Possession of Don Vincent Gonzaga, a Neapolitan, at that time Duke of St. Paul, in the Province of Capitanata, in the Kingdom of Naples, which Abbey is worth Five and Twenty Thousand Crowns a Year, and in the Patronage of the Duke of Mantua; with whom he negotiated to have the Abbey renounced in his Favour, he giving for Wife to the said Don Vincent Gonzaga the Duke's own Sister-in-Law, second Daughter of the Duke of Guastalla: And neither of the Dukes having Male Children, it was stipulated that the Duke of Mantua should acknowledge for his presumptive Heir this Don Vincent, with an Allowance of Two Thousand Crowns a Month for his Maintenance, but upon Condition that he should not meddle with the Government either of the one or the other State during the Life of the Duke of Mantua, who laid Five Thousand Crowns Pension on the Abbey of Lucedio, assigning the greatest part of it to one of his natural Sons.

The

September. The Contract being thus made, *Grimani* took Possession of that rich Abbey, and having travelled over all *Italy* returned to *Venice*, where he contracted great Intimacy with the Duke of *Savoy*. Now the Duke of *Mantua*, at the Instigation of *France*, being disgusted with the House of *Austria*, resolved to fortify *Guaftalla*; *Don Vincent Gonzaga* being angry with the Duke of *Mantua*, his Brother-in-Law, because he did not allow him handsomely, gave him no kind of Authority, and did not pay him the 24000 Crowns a Year, according to Contract, he privately acquainted the Emperor and the King of *Spain* with this Innovation, which would be prejudicial not only to *Italy*, but to all *Europe*; those Fortifications being to be carried on with *French* Money, with a Design, in all Appearance, to put a *French* Garrison into it. After the Dispatch and Return of many Couriers from *Vienna* and *Mosid*, Orders were sent to the Count of *Fuenzelada*, Governor of *Milan*, to demolish the new Fortifications of *Guaftalla*. This slow and expensive Nobleman, after much Time spent to fit out a famous Train of Artillery, marched with an Army he had drawn together with a great deal of Noise, and no less Derision, as if he had been to attempt the Conquest of *Jerusalem*; whereas a few Troops had been sufficient to guard those Pioneers, that were to throw down only a few Fathoms of a Wall of the new Fortifications.

Grimani
engages in
the Interest
of the House
of *Austria*.

The Duke of *Mantua* being outwitted in this Matter, engaged *France* by his Complaints to take new Measures for the Defence of the Place, which being discovered by *Grimani* to the Emperor's Court, and to the Duke of *Savoy*, as likewise by *Don Vincent Gonzaga* to the King of *Spain*, *Don Vincent* obtained the Investiture of *Guaftalla*, after the Death of the Duke his Father-in-law, notwithstanding it was the Right of the Duke of *Mantua*, as having married the Eldest Daughter of the Duke of *Guaftalla*. This Negotiation procured *Grimani* great Credit over all *Germany*, and the more because it was confirmed by Word of Mouth at *Vienna* by the Jesuit *Edera* his great Friend, and likewise by the Abbot *Legotini*, a *Venetian*, and a Dependant of *Grimani*'s, whom he sent at his own Expence to spread his Fame in the Empire, *Flanders*, *Holland*, and *England*.

He goes to *Vienna*. *Grimani* going afterwards to *Vienna* in Person, he was by the said Father *Edera* presented to the Emperor, into whose Favour he very much insinuated himself, by negotiating Matters with great Efficacy and Partiality for the Imperial Crown; for laying hold of the Conjunction in 1639 he had the Dexterity to engage the Duke of *Savoy* in

in a League with Germany, Spain, England and Holland, *September.*
against France.

He procured the Elector of Bavaria, and the Duke of Savoy, with the Assistance of Charles Duke of Schomberg, to shew their Bravery on several Occasions, to the Damage of the Crown of France, against which *Grimani* never ceased to plot, and write in favour of the Confederacy; while at the same time he magnified his Services to the Imperial Court, and likewise rendered himself more than ever necessary to the Duke of Savoy, in whose Behalf he prevailed with the Pope to grant him the Power of nominating to the Bishopricks and Abbies in *Piedmont*: On the other hand the Duke of Savoy out of Gratitude procured the Marriage of the youngest Niece of Monsignor *Trotti* with the Marquis *Gonzaga*, *Grimani's* Nephew, by the Mediation of Count *Massini*, Favourite to the Dutchess Dowager of Savoy, who had for his Wife the Eldest of the Four Sisters, and Heiresses, the Countess of *Trotti*.

Grimani being by *Innocent XII.* advanced to the Dignity of a Cardinal on the 27th of July 1697, tho' he was accused of Infidelity, yet he was always most faithful to the Pope, having ever justified at the Court of *Vienna* the Pope's Proceedings, in Opposition to the Remonstrances made by Count *Martinitz*, for which he was rewarded with a fat Abbey in the State of *Milan*; this indeed did him some Disservice at the Imperial Court, where 'tis very well known it's not usual for Popes to provide for Cardinals that are named by the Crowns; however he was not long before he recovered his former Confidence.

During the short Stay he made at *Rome*, he had several Solicitations for his speedy Return to *Vienna* from the Princess of *Austria*, Wife to the Count of *Ragorin*, Brother-in-Law to Count *Tekely*, who was so deeply in Love with this Cardinal, that she peremptorily wrote to him, "That she would come to *Rome*, and there stay with him, if he did not speedily return to her in *Germany*." Upon this Intimation the cunning Cardinal pretending to the World that he was going to see his Nephew, who was newly married in *Mantua*, and likewise to visit his Abbey in *Milan*, conferred on him by the Pope, gave his Holiness under Hand to know that his Presence was absolutely necessary in the Emperor's Court, to countermine the Stratagems that were contriving there against his Repose, at the Instigation of Count *Martinitz*, in Revenge of the bad Correspondence all *Rome* had with him.

September. A certain Author informs us of Two other Motives of great Importance, that made him resolve to depart from *Rome*; the first of which is, because he knew that in that Court he could not have any great Honour, as the other Cardinals have, in the Conversations where Learning prevails, in which he was defective; the other was, that his Money had so failed him, that he could no longer continue his splendid and pompous way of living, for the carrying on of which Magnificence he contracted Debts by the means of Father *Barberini* of *Vicenza*, at that time General Procurator of the *Cassinian* Monks, his intimate Friend; who with many Thousands of Crowns belonging to his Order, or to his Friend's, had sustained and kept him up till that Moment.

His preferring Lonio He brought himself under some Discredit at *Rome*, when he procured the Purple Prelateship, with an Office in the Chancery, for the Proctor *Lonio*, his Agent; both because he was a Cobler's Son, then alive at *Rieti*, and because he was not a Person singular for any great Qualities, nor any way eminent in the Profession of the Law or Practice of the Courts of Judicature; besides, *Grimani* being only learned in Politicks, History, and the Knowledge of the respective Interests of the *European* Princes, but wholly ignorant of the Scholastic Learning, of the Law, of the Councils, and the like, he rendered himself useless and inconsiderable in the Congregations wherein he assisted.

Made Viceroy of Naples 1708. The *Germans* under Count *Thaun* having reduced the whole Kingdom of *Naples* under the Obedience of King *Charles III.* in 1707, Cardinal *Grimani* succeeded that General in the Viceroyship, by the Designation of the Imperial Court, and governed the Kingdom with great Conduct and Artfulness to his dying Day, which hap-

His Death. pened to be the 24th of this Month; he having first sent to *Rome* for the Pope's Pardon for any thing he might have done to the Detriment of the Church, and for his final Benediction.

Character. Besides what has been already said of him in reference to his Character, he is represented to have been a thoughtful, melancholy, and cunning Person, and wholly averse to intermeddle in any Affair but such as would turn to his own Advantage, and in such he was most officious; that he was so close and suspicious in his Nature, that he did not so much as trust any one of his own Secretaries, except in Letters of meer Compliment; but those of Business he wrote always himself, and generally wrote above 100 every Week; lastly, that he endeavoured to keep fair with all the Courts in the Alliance, but in the great-

est Confidence with that of *Vienna*, to which he had all *September* the Obligations in the World.

On the 18th *John Annesley*, Earl of *Anglesea*, died of *Earl of* a Fever. This Family I perceive originally to be *Notting- Anglesea's* *hamshire*, where I find *Thomas Annesley* of *Annesley* to be *Death.* the Father of Sir *Hugh Annesley*, of the same place in that County, which Sir *Hugh* died on the 23d of *September*, in the Second Year of the Reign of *Henry IV.* who came to the Crown of *England* in 1399, and was the Father of *Thomas Annesley* of *Rodington* in the County of *Nottingham*, his second Son, and he of *William Annesley* of the same Place and County, which *William* had for his fifth Son *Robert Annesley* of *Newport-Pagnel* in the County of *Buckingham*, who was the Father of another *Robert Annesley*, and he of Sir *Francis Annesley*, Knight and Baronet, who was the first Nobleman of this Family; for being Vice-Treasurer and Secretary in the Kingdom of *Ireland* in the Reign of King *Charles I.* he was first created Lord *Mountmorris*, by Patent bearing date *February 4. Car. 1.* and having a Grant of the Reversion of Viscount *Valencia* in the County of *Kerry* in that Kingdom, after the Death of *Henry Power*, Viscount *Valencia*, to whom he was related nearly in Affinity, dated the 11th of *March 1621, 19 Jac. 1.* he succeeded also to that honour. This *Francis* was the Father of Sir *Arthur Annesley*, Baronet, who not only succeeded him in his *Irish* Honours, but having served his Majesty King *Charles II.* with great Integrity, to the no little Hazard of his Life and Fortune in the then most perilous Times, he was by Letters Patent dated *April 20, in the 13th Year of the same King's* Reign created a Baron and Earl of *England*, by the Title of Lord *Annesley* of *Newport-Pagnel* in *Buckinghamshire*, and E A R L of A N G L E S E A, being the Fourth Coronation-Earl. This A R T H U R Earl of *Anglesea* was some Time Lord Privy-Seal to that Prince, and a Noble Lord, of very great Parts and Learning, being supposed to be the Author of some Treatises of State relating to the Controversies of those Times; and particularly in the Reign of King *James II.* a Treatise entitled, *The King's Right of Indulgence in Spiritual Matters, with the Equity thereof asserted.* This Earl at length giving way to Fate, on *Easter-Tuesday* the 6th of *April*, at his House in *Drury-Lane*, within the Liberty of *Westminster*, he was succeeded in Honour and Estate by his Eldest Son *James*, by *Elizabeth*, one of the Two Daughters and Co-heirs of Sir *James Altham*; his other Sons were, *Altham*, *Richard*, *Arthur* and *Charles*, and Two more, both named *Arthur*, dying in their Childhood. He had

September. had also Six Daughters, viz. *Dorothy*, marry'd to *Richard Earl of Tyrone* in Ireland, *Elizabeth* to *Alexander Mackdonald*, second Son to the Earl of *Antrim*, *Frances* married first to *John Windham* of *Felbrigge*, Esq; afterwards to *Sir John Thompson*, late Lord *Haversham*, *Philippa* to *Charles Lord Mobun*, *Anne* and *Bridget*, who dy'd young.

James Earl of Anglesea marry'd *Elizabeth*, Daughter to *John Earl of Rutland*, and Sister to the present Duke of that Name; by whom he had Issue Three Sons and Two Daughters, viz. *James*, who succeeded his Father in Honour and Estate, and marry'd the LADY *Catherine Darnley*, natural Daughter of King *James II.* (by *Catherine* now Countess of *Dorchester*, only Daughter to *Sir Charles Sidley*, Baronet) by whom he had Issue one Daughter, now living, named *Catherine*, born January 7, 1700, and brought up under the Care of the present Lady *Haversham*; from which *Catherine* he was afterwards separated, and died on the 19th of January 1701-2, after which the said *Catherine* his Wife re-married with *John Sheffield*, Duke of *Buckingham* and *Normanby*.

Earl *James* was succeeded by his Brother *John*, who in the Year 1706 marrying the Lady *Henrietta*, Eldest Daughter to *William* late Earl of *Derby*, and the present Earl's Niece, has Issue by her only one Daughter born, and dying as aforesaid is succeeded in Honour and Estate by his Brother *Arthur*, one of the Representatives of the University of *Cambridge*. He marry'd *Mary*, Daughter to *John Thompson*, Lord *Haversham*. The only surviving Sister of this Earl is *Elizabeth*, married to *Robert Sayer*, Esq; of *Stoke-Pagnel* in the County of *Buckingham*.

John Earl of Anglesea now deceased was a Nobleman of great Parts; he had but in July last been made Receiver-General and Paymaster of the Forces on the *Irish* Establishment in the room of *Thomas Lord Coningsby*, and was sworn on the 11th of the same Month one of Her Majesty's most honourable Privy-Council.

Duchess of Modena's Death. On the 26th died of an Apoplexy *Charlotte Felicitas* of *Brunswick-Lunenburg*, Dutchess of *Modena*; she was the second Daughter of *John Frederick Duke of Brunswick-Lunenburg*, Brother to the late Elector of *Hanover*, by *Benedicta Henrietta Philippa* of *Bavaria*, second Daughter of *Edward Count Palatine of the Rhine*; she was born on the 8th of March 1671, and married on the 18th of November 1686 to *Reynald Duke of Modena and Regio in Italy*, by whom he had a Son and a Daughter; both of them, as I take it, survive her.

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On the 15th — *Herbert, Esq;* Grandson to the September. Duke of Leeds, married Sir *James Haller's* Daughter. ~~~~~

About the beginning of this Month died *Charles Barnard, Esq;* Serjeant-Surgeon to Her Majesty Queen Anne; he was the Brother of *Francis Barnard*, Doctor of Physick, some Time Physician to St. *Bartholomew's* Hospital; *Barnard's* Mr. *Barnard* was also first Surgeon to the said Hospital, *Dearb.* and the most eminent Person of his Profession in his Time; a little before his Death he was sent for down to my Lord Viscount *Weymouth* in *Wiltshire*, and being taken ill by the way died at his Lordship's House, in the 59th Year of his Age.

He was very well versed in all the Parts of polite Learning, having set out in the World with a strong Inclination to it, in order to which he began very early not only to collect but to read Books, and indeed he had great Opportunities of furnishing himself both with the best of all sort and the fairest Copies; and as an Instance that his only Care was not that the best Books should have the best Covering, but that also he looked nicely into the Insides of them, he wrote now and then in the Blank Leaves of several Volumes particular Remarks upon the Author of that Edition, which as few knew the History of Learning as well as himself, do very often shew either the Value of a Book not commonly known, or some particular Passages in it the most worthy of note. His most valuable Library was sold after his Decease for the Benefit of his Family, and the Books went generally at a great Rate. Mr. Serjeant was justly reputed a Person of ready Wit, correct Judgment, and happy Memory. *His Character.*

On the 21st instant *John Lord Ashburnham* marry'd the Lady *Elizabeth Busler*, Eldest Daughter of *James Duke of Ormond*.

About the middle of this Month *John Carteret, Lord Carteret*, married Mrs. *Frances Worsley*, Grand-Daughter to the Lord Viscount *Weymouth*. *Lord Carteret married.*

On Sunday the 22d died *Foulk Grevil, Lord Brook*, at his House in *Twickenham*, at the Age of Sixty Eight. This Lord's Grand-father's Cousin-German, Sir *Foulk Grevil*, Knight of the honourable Order of the *Bath*, and Under-Treasurer and Chancellor of the *Exchequer* to *K James I.* was by that Prince advanced to the Title of *Baron Brook* of *of* *L. Brook's Death.*

48 The Remarkables of the Year, 1710.

October. of *Beauchamp-Court*, the Mannor-House to his Lordship of *Alcester* in the County of *Warwick*, by Letters Patents bearing Date the 9th of *January* 1620, in the 18th Year of that King's Reign. My Lord *Brook* is succeeded in Honour and Estate by *Foulk Grevil*, Esq; his Grandson, by his Son *Francis Grevil*, Esq; lately deceas'd.

November. On the first of this Month died *John Thompson*, Lord *Haversham*, of *Haversham*, and Baronet. This noble Person was promoted to the Dignity of Baronet on the 12th of *December* 1673, in the 25th Year of the Reign of King *Charles II.* he being then of *Haversham* in the County of *Buckingham*, and by Patent bearing Date at *Westminster* on the 4th of *May* 1696, in the 8th Year of *William III.* was created a Baron of this Realm. He married to his first Wife the Lady *Frances*, Daughter of *Arthur Annesley*, Earl of *Anglesea*, Lord-Privy-Seal to King *Charles II.* and Widow of *John Windham* of *Felbrigg-Hall* in the County of *Norfolk*, Esq; by whom he had Issue one Son *Maurice*, some Time a Colonel in the Foot-Guards, and a gallant Person, who married — the Daughter of — *Smith*, of the County of *Hertsford*, Esq; *Helena*, his Eldest Daughter, married to the Reverend Mr. *Gregory*, Rector of *Tuddington* in the County of *Bedford*; *Elizabeth*, second Daughter, married to Mr. *Grange*; *Mary*, third Daughter, married to *Arthur Annesley*, now Earl of *Anglesea*; *Frances*, fourth Daughter, married to *Thomas Armstrong*, Esq; *Catherine*, fifth Daughter, married to Mr. *White*, an Attorney at Law; *Dorothy*, sixth Daughter, married to Captain *Bickford*; and *Albama*, unmarried. His Lordship in 1709 to his second Wife married Mrs. *Grabam*, by whom he has no Child.

If my Lord *Haversham* was not the only Peer of *England*, he was one of them that went to Meetings; which was the more taken notice of in him by reason of his Conduct in respect to the Publick. He seemed to run against the Court in the Reign of King *William*, till he was made a Peer, and one of the Lords of the Admiralty; and his Behaviour in that of Her present Majesty will best appear by the Occasions on which he made Speeches from time to time in the House of Lords, and the Tendency of them; all which you will find in their proper places, both in this and the preceding Volumes of my annual History. His Lordship, who without all Doubt was a Nobleman of great Parts, published about 18 Years ago a small Tract in Vindication of his Father-in-Law, *Arthur* Earl of *Anglesea*; from some Misrepresentations (if I mistake not) of Sir *Peter Petts*

On the 10th of this Month *Edward Lord Griffin* Novemb.
 departed this Life in the Tower of *London*. This Lord Griffin's death.
 Gentleman in the Reign of King *Charles* was Lieutenant-Colonel to one of the Troops of Guards, and being a Retainer, if not a Domestick, to the Duke of *York*, he was by that Prince, by virtue of a Patent dated the 30th of *November* 1688, created *Baron Griffin*, of *Braybrooke*, in the County of *Northampton*. He was the Son and Heir of *Sir Edward Griffin* of *Dingley* in the same County, Knight, some Time Treasurer of the Chamber to King *Charles II.* and descended by Marriage of an Heir General of the noble Family of *Latimer*, from the *Braybrookes*, Lords of *Braybrooke*, in respect whereof he had that Title conferred upon him: This Lord followed King *James's* Fortune into *France*, and after his Decease that of the Pretender there, with whom in the Spring of the Year 1708 coming to invade Her Majesty's Dominions, he was taken with divers others in the *Salisbury* Man of War, and being Out-law'd, was however by Her Majesty's Clemency reprieved from time to time, till Death freed him from his Earthly Restraint, as aforesaid. His Corps was buried in the Tower-Chappel.

The 12th proved fatal to *Thomas Lord Leigh*, at *Stonely*, Ld Leigh's Death 12.
 his Seat in *Warwickshire*, by a Mortification in his Foot. This Family had its Descent from *Sir Thomas Leigh*, Knt. Son of *Roger Leigh* of *Wellington* in the County of *Salop*, *Sir Thomas* sprung by a younger Branch from that ancient Family of *mas Leigh* of *High-Leigh* in *Cheshire*. *Sir Rowland Hill*, a great Merchant of *London*, having employed him Factor beyond Sea, he discharged that Trust with such Fidelity, that the said *Sir Rowland* having no Issue, gave him his Niece, viz. *Alice*, Daughter of *_____ Barker* of *Hagkmon* in Marriage.
 the County of *Salop*, in Marriage, and at his Death left his Children the Substance of his Estate. By these Successes at length, in the first Year of Queen *Elizabeth's* Reign, he became Lord-Mayor of *London*, and died in Is Lord.
 the 14th, leaving Issue Three Sons, viz. *Rowland*, *Thomas* Mayor.
 and *William*, the first was well provided for at *Loughborough* in *Gloucestershire*, and thereabouts, by an Estate left Death and
 him by *Sir Rowland Hill* his Godfather, but *Thomas* and Issue.
William were both seated in *Warwickshire*, the one at *Stonely*, and the other at *Newnham-Regis*, a fair Lordship belonging to the *Canons* of *Kenilworth* before the Dissolution of the Monasteries.

Novemb. Francis, the Son of William, so settled in this last place, was first made a Baronet in the 16th Year of King James I. and in the 4th of Charles I. was created Lord *Dunsmore*, and afterwards manifesting his Loyalty to that Prince in the time of his unhappy Troubles, he was advanced to the Dignity of Earl of *Chichester*. This Francis by *Audrey* his Wife, Daughter of John Lord Butler of *Bramfield*, Widow of Sir Francis Anderson, Knight, had Issue only Two Daughters, *Elizabeth* married to Thomas Earl of *Southampton*, to whom and his Issue Male the Title of Earl of *Chichester* was limited, and *Mary* married to *George Villars*, Viscount *Grandison*, so that the abovesaid Titles ceased in this Family.

Sir Thomas.

We therefore return to Thomas, second Son of Sir Thomas Leigh, Knight, Lord-Mayor of London, seated, as we have observed before, at *Stonely* in *Warwickshire*, which Sir Thomas being then a Knight, was in the 9th Year of the Reign of King James I. made a Baronet, and having married *Catherine*, Daughter of Sir John Spencer of *Wormleighton*, Knight, had Issue by her Sir John Leigh, Knight, whom he survived, and dying in the first Year of the Reign of King Charles I. left Thomas his Grandson, the Son of Sir John aforesaid, to succeed him.

Sir Thomas.

Sir Thomas having been Knighted by King James I. married Mary, one of the Daughters and Co-heirs to Sir Thomas Egerton, Knight, Eldest Son to Thomas Lord *Elsemore*, Lord-Chancellor of England, and firmly adhering to King Charles I. in the Time of the Civil Wars, was advanced to the Dignity of a Baron of this Realm, by the Title of Lord Leigh of *Stonely*: He had Issue by Mary his Wife Four Sons, Thomas, Charles, Ferdinand, who died unmarried, and Christopher; also Three Daughters, who survived him, viz. Elizabeth married to John Viscount *Tracy* in the Kingdom of Ireland, Vere to Sir *Fustianian Isham* of *Lampert* in the County of *Northampton*, and Ursula to Sir William Bromley of *Bagginton* in the County of *Warwick*, Knight of the Bath.

Made a Baron.

Sir Thomas.

Thomas his Eldest Son was Knighted by King Charles I. at *Stonely* in 1642, and died in his Father's Life-time, having married Two Wives, viz. Anna, Daughter and sole Heir to Richard Brigham of *Lambeth* in the County of *Surrey*, Esq; by whom he had one Daughter called Anne, who died young; secondly Jane, Daughter of Patrick Fitzmaurice, Baron of *Kerry* in Ireland, by whom he had Issue Thomas, his only Son, and Three Daughters, Honora married to Sir William Egerton, Knight, second Son to John Earl of *Bridgewater*, and since to Hugh, the present Lord Willoughby of *Parham*; Mary married to Arden

Thomas
Ed. Leigh.

den Baggot of Pipe-Hall in the County of Warwick, Esq; November. and Jane to William Viscount Tracy in the Kingdom of Ireland.

This Thomas, Grandson of the Lord lately deceas'd, as Another
afore said, married Eleanor, Eldest Daughter of Edward Thomas
Watson, Lord Rockingham, and Sister to Lewis, now Lord Ld. Leigh,
Rockingham, by whom he hath left Issue Two Sons, and as his Grand-
many Daughters, viz. Edward, the present Lord, who hath son.
married Mary, sole Daughter and Heir of Thomas Hol- Wife and
beck of Fillongley in the County of Warwick, also Heir by Children.
her Mother to Bernard Paulet, Esq; descended from Giles
Paulet, second Son to William Marquis of Winchester;
Charles second Son and Anne living unmarried, and Elea-
nor married to Thomas Verney lately deceas'd, Son of the
honourable George Verney, Son and Heir apparent to
Richard Lord Willoughby of Brook. Mr. Verney has left no
Children.

Ezekiel, Baron of Spanheim, was the Eldest Son of Fre- Bar. Span-
derick Spanheim, some Time Divinity Professor at Leyden, heim's
but a Native of Amberg in the Upper Palatinate; where Life.
Ezekiel had his Education, and when he grew up, Charles
Lewis Elector Palatine, Brother to the Princess Sophia of
Hanover, whose Subject he was, appointed him Governor
of his only Son Charles, who was afterwards Elector Pa- Made Tutor
latine, and the last of the Protestant Religion; and as to the P.
Monsieur Spanheim was then but in the 27th Year of his Palatine.
Age, the Choice the Elector made of him for so great
a Trust is a convincing Proof that he had already disco-
vered in him an extraordinary Merit. He was since em-
ployed by that Prince in important Negotiations in sever-
al Courts of Europe, in which he gain'd a great Reputa-
tion.

The late Elector of Brandenburg, Frederick William, Goes into
invited him into his Service, and conferred on him the the Elector
Dignity of his Minister of State. He was employed by that of Bran-
Prince as his Envoy to several Courts, and Plenipoten- denburg's
tiary in several Treaties, and sent by his present Maje- Service.
sty the King of Prussia his Ambassador Extraordinary to
the Court of Great-Britain, where he resided about Nine
Years.

Baron Spanheim departed this Life on the 14th, aged Death and
81, having been employed in State Affairs for 54 Years, Age.
and gained the Reputation of a great Minister.

The following Character of Baron de Spanheim, being His Chara-
drawn by a great Master, who had the Honour to be in- der.
timately acquainted with him, will doubtless be accept-
able to such Readers who value the Memory of that
D d d z illustrious

illustrious Person, and therefore we cannot omit in this place to impart it to the Publick.

“ We have lately lost a Person of such universal Merit, that each of his particular Excellencies apart, and by it self, was sufficient to have formed a great Man. A perfect Knowledge of the Tongues, and of the Works of the Learned, together with his most accurate Judgment and profound Penetration, would have well furnish'd out an admirable Critick. He will be the Oracle which Posterity will consult in the Knowledge of Medals; nor would his Authority have been of less Weight in many other Parts of Learning, had he published to the World his uncommon Knowledge in Antiquity. The long Experience he had in publick Negotiations, happily improved by a Genius peculiarly fitted, had carried him to so great an Height of Perfection, as made him worthy to be envied by the most able Ministers of State. The Holy Scripture, which he read with the greatest Pleasure, had opened to him such Treasures of Wisdom, as might well have made him pass for one of its best Interpreters. Those who had the Honour to be acquainted with Baron *Spanheim*, Ambassador of the King of *Prussia* will quickly perceive that he is the Person of whom I am now speaking. They must have been convinced by his Writings, and by his Conversation, that he was a perfect Master in all kind of Learning, and that the Portraiture I have here drawn doth in all its Parts exactly resemble him. and only him.

“ Every one sees by what he hath published that he wrote the Language of *Cicero*, as *Cicero* himself would have done; but all Men have not had the Opportunity of observing with how great Ease and Propriety he spoke it, as often as he had occasion to converse with those Foreigners, who could not be Judges with what Grace he spoke *French*: Tho' he could discourse admirably well upon most Things, yet he always left it to the Company he was with to chuse the Subject of their Conversation, and never launched out into other Matter, that he might shew the Extent of his Knowledge, a Fault too common in learned Men. As he confined himself to the Subjects started by others, so he knew how to adapt himself to the Taste of those who were unqualified for learned Conversation.

“ You would think he had forgot himself when he met with Men of ordinary Capacities, he put himself upon the Level with them with so good a Grace, both by the
“ Tone

" Tone of his Voice, and by his agreeable and obliging
 " manner of Behaviour, that they began to have a good
 " Opinion of themselves, after they had maintained a
 " Conversation with a Man of his Weight and Char-
 " acter.

" But what is of greater Importance than any thing
 " I have yet said of Baron *Spanheim*, is his Piety; this
 " was active and substantial, this he improved by a re-
 " gular and attentive Perusal of the Holy Scriptures, and
 " by those Meditations which he had prepar'd for his
 " own Use, and wrote with his own Hand. There were
 " found amongst his Manuscripts several Prayers, one of
 " which he compos'd in the beginning of the last Year
 " of his Life.

" A Piety thus cultivated was visible in him upon all
 " proper Occasions, and always without Ostentation. His
 " Complaisance, as great as it was never betrayed him
 " into shewing any the least Approbation of such Discourse
 " as made too free with Religion. It is to his Piety
 " that I attribute his extraordinary Candour, with
 " which he replied to those Authors who had wrote in
 " a very different manner against him. This Moderati-
 " on is so very uncommon amongst Authors, that I can-
 " not but look upon it as the Effect of his Religion.

" He had a very particular Occasion to shew his Cha-
 " rity, when being sent Envoy to the Court of *France*, at
 " the time that the Liberty of the Protestants expired,
 " he suffer'd his House to be a Sanctuary for a great many
 " miserable People, who fled thither to avoid Prisons
 " or Convents. No one ever heard him make the least
 " mention of this Generosity of his, so truly Christian,
 " nor would the World have known any thing of it, had
 " not those whom he thus received and supported pub-
 " lished in those Places, whither they were afterwards
 " dispersed, the just Praises of him their Benefactor, and
 " of his worthy Lady their illustrious Benefactress. At
 " his Return to *Berlin*, where, as Minister of State, he had
 " the particular Care of the Refugees, he shewed them
 " how far Charity may be carried when the Power of
 " doing Good is equal to the Will. Those of them
 " whom he found in *England* well know by many Years
 " Experience that there are few Men who practise this
 " Virtue in so eminent a Degree as he did.

" He lived Ten Months beyond the longest Term
 " which the Holy Scriptures seem to assign to the most
 " Vigorous. It generally happens that Old Age weak-
 " ens the Intellectuals, those of the Baron *Spanheim* con-
 " tinued in their utmost Vigour even to the last Period
 " of

December. " of his Life. The Sickness which deprived us of this
 " great Man seized him in his Closet, where his great
 " Age did not hinder him from spending his stated Hours,
 " and threw him into a Lethargy, (in the Intervals of
 " which his Thoughts were full of Piety) which at last
 " consigned him into the Hands of God.

His Works. He wrote several learned Treatises, as *De Præstantia*
Usu Numismatum, &c.

On the 28th the Lady Hyde, Wife of Henry Lord
 Hyde, Son of the Earl of Rochester, was brought to Bed
 of a Son.

The Dutch- On the 19th of this Month *Susanna de Lorain-Elbeuf*,
 es of Man- Widow of *Charles de Gonzagua*, late Duke of *Mantua*,
 tua death. died at *Paris* in the 25th Year of her Age. The Duke
 of *Mantua* having lost his first Dutchess by Death on
 the 19th of November 1703, *Lewis XIV.*, to link him
 the more firmly to his Interest, proposed a Match be-
 tween him and *Mademoiselle de Elbeuf*, Daughter to the
 late Duke of *Elbeuf* in *France*, by his Third Dutchess,
 and half Sister to the present Princess of *Vaudemont*,
 whom he married at *Tortona* in *Italy* November 8 1704,
 The Duke of *Mantua* paid his last Debt to Nature on
 the 5th of July 1708, the Particulars of whose Life may
 be seen in my compleat History of *Europe* for that
 Year, p. 401, &c.

Duke of On the 20th the Duke of *Mirandola* departed this
 Mirando- Life at *Bologna* in Exile, being deprived of his Coun-
 la's Death. try by the Emperor, who possessed himself of it and
 all the *Mantuan* in 1706, the French being then oblig'd
 to evacuate all *Italy* by a Treaty, and to retire to their
 own Country.

Sir Richd. The 27th of this Month proved the last Day of the
 Raines's Life of Sir *Richard Raines*, Knight, who died at his
 Death. House in *Greenwich*. This Gentleman betaking himself
 early to the Study of the Civil Law, and becoming a
 Practitioner therein, after he had taken his Doctor's
 Degree, and a Years Silence, at *Doctor's-Commons*, in
 some Time was promoted to be Judge of the Preroga-
 tive-Court of *Canterbury*, in which Post I find him so
 long ago as December 1686, when he was by King
James II. made Judge of the High Court of Admiralty,
 and at the same time received the Honour of Knight-
 hood. Whether dispossessed of this Place at the Re-
 volution I know not, but he continued Judge of the
 Prero-

The Remarkables of the YEAR, 1710. 55

Prerogative to his dying Day, and is succeeded there- *December.*
in by Sir Charles Hedges, who, upon his Resignation of
his Place of Secretary of State about Three Years ago,
had the Promise of it when it became vacant.

This Month proved also fatal to Doctor Aldridge, Doctor Al-
Dean of *Christ-Church* in *Oxford*. I can learn nothing of his
of his Parentage and Education, but find that Doctor *Death.*
Samuel Speed dying at *Godalming* in *Surrey*, of which
he was Vicar, about the 22d of *January* 1681, *Henry*
Aldridge, then Master of Arts, and Student of *Christ-Made Ca-*
Church, was installed Canon in his place on the 15th *non.*
of *February* following; some Years before which he had
accompanied Sir *Joseph Williamson*, the King's Plenipo- *Made Do-*
tentiary to *Cologn*. On the 2d of *March* 1681 this Gen- *tleman in Di-*
tleman accumulated his Degrees in Divinity, and on *vinity, and*
the 17th of *June* 1689 he was installed Dean of *Christ-Dean of*
Church, in the place of Mr. *John Massey*, who withdrew *Christ-*
himself from that Office the latter End of *November* *Church.*
before going.

There was a Book published at *Oxford* in 1687 by *His Works*
Mr. *Obediah Walker*, but wrote by his Tutor *Abrakam*
Woodhead, a Roman Catholick, entituled, *Two Discourses*
concerning the Adoration of our Blessed Saviour in the Eu-
charist; the first containing Animadversions on the Alte-
rations of the Rubrick in the Common-Service in the
Common-Prayer-Book of the Church of *England*; the
second, *The Catholicks Defence for the Adoration of our*
Lord, as believed really and substantially present in the Holy
Sacrament of the Eucharist. This was answered, as was
then commonly reported, by Doctor *Aldridge*, Canon
then of *Christ-Church*, being entituled, *A Reply to Two*
Discourses lately printed concerning the Adoration of our
Blessed Saviour in the Eucharist. What other Things the
Dean has writ I know not. He had great Skill in Prints,
and the Decorations about the *Oxford Almanack* were of
his designing.

Doctor *Aldridge* was a Gentleman of fine Parts, po- *Character.*
lite, agreeable in Conversation, and without that Starch-
ness in his Conduct, to which the Generality of Mortals
give the worst Interpretations.

Doctor *Aldridge* is to be succeeded (as they say) in his *Successor.*
Deanery by Doctor *Francis Atterbury*, Dean of *Carlisle*,
and Preacher at the *Rolls*, as also, at this time Prolocu-
tor of the Lower House of Convocation; and in the Re-
ctory of *Weem* in *Shropshire* (as I am informed) by Do-
ctor *Chandler*, the same being in the Gift of *Henry Lord*
Newport, and valued at 400 l. per Annum.



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